

## City Council Regular Meeting Transcript – 02/06/2020

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[10:07:53 AM]

>> Mayor Adler: All right, I think we have -- I think we have enough people for us to start. You know, it's our custom here at the city of Austin to start our meetings with a peaceful moment by inviting different people from different walks of life, different faiths to share their prayers or moments of reflection. It's an opportunity in an important way we celebrate the diversity that exists in our city and to begin our meetings with everybody focused and aligned for the greater good. So today to help us in our opening moment, we have Dr. Rigby of St. Andrew's presbyterian church. >> Thank you. I'm very honored to be here. Probably like you, I know a lot of people right now that are so depressed and in despair what is happening in

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our nation. So much brutality, so much dishonesty. When I get up at the airport a lot of times I will stop by the statue of Barbara Jordan, I think probably a lot of us do, and I don't remember much about her political losses, but I realized today you are going to be looking at mixed issues. You don't get to choose between pure good and pure evil. Everything is mixed. Feeling good at the end of the day because of the choices you have to make. But over the years here in Austin I've seen this body stand up for the homeless in a very courageous way. I've seen you stand up for the undocumented here in Austin, the lbgtqu, the women, the people of color, incarcerated, lots much things that weren't in your political interest. I want you to know as you

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deliberate today a very mixed bag that you will probably have to look at that you are one of the reasons I'm very proud to be part of the beloved community of Austin. Please know whatever you have to do today your integrity alone gives us hope. Thank you so much. >> Mayor Adler: Thank you. With that, I'm going to call to -- with that I'm going to call to order today's meeting. It is Tuesday, February -- sorry, Thursday, February 6th, 2020. We are in city council chambers. I'm going to look at the -- we have a quorum. Looking at the changes and corrections, item number 10 is being postponed to February 20. Items numbers 15, 16, 19,

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20, 29 and 30 are withdrawn. Item number 34 is also withdrawn. It was listed on changes and corrections as being postponed, but item number 34 is also being withdrawn. Item number 50 is to authorize negotiation, this was misspelled, and execution. Item number 61 is withdrawn. Item number 68 concerns district 10. On item number 83, the sponsors should list the mayor pro tem as part of that. >> Garza: Mayor, can I say something about that? There was an issue, just to -- councilmember

[10:11:58 AM]

harper-madison should not be on there. I was Gooding to be added -- going to be added and she was taken off. >> Mayor Adler: Okay. So noted. We have late backup on items 8, 9, 10, 12, 51, 57, 68, 70, 71, 77, 78 and 83. Should be noted we have a late add to the boards and commission nomination and waivers, item 51, it's on the yellow sheet that's been handed out. That was councilmember kitchen's nomination for building and standards commission, Elizabeth Miller is added. The consent items that we have today are from an agenda that runs from 1 to 57, and also includes 82 and 83.

[10:12:59 AM]

We have no items being pulled by councilmembers, but we do have some items that are being pulled for speakers. The items that are being pulled for speakers are item 12, 27, 28, and 35. Those four items. Yes, councilmember tovo. >> Tovo: Mayor, you may have indicated this already, but I wanted to pull 46 and I want to make a slight change to 47 and 48, but I can leave 47 and 48 on the consent agenda and just make a small change, but 46 I would like to pull for P discussion. >> Mayor Adler: Okay, let's pull 46. What's the changes on 47 and 48? >> Tovo: Those are contracts that I'd like to reduce to one year to give

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the staff -- we've had -- we received a memo talking about why these are outsourced contracts and why they would like to continue with a contract, but for a limited -- I would like to support it for a limited amount of time so we can move forward with our task force recommendation to bring in those services in-house. >> Mayor Adler: Staff have any objection going to a year? No? Does anybody have any objections to making that change? Hearing none, both 47 and 48 will stay on consent but for a year. And I hope, manager, that you raise this issue and we discuss it as part of the budget process coming up in June so we can understand impacts. Yes, councilmember Flannigan. >> Flannigan: Just for clarity, I was also wanting to pull item 46 and we may be on the same page with that, but wanted to make that clear. >> Mayor Adler: Okay. 46 is also pulled. Anything before I ask the

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speakers who have signed up to speak if they want to speak? Yes. Councilmember alter. Or on consent. >> [Inaudible] >> Mayor Adler: Mr. Peña, Gus peña, why don't you come on down. >> Good morning, mayor, Gus peña, president of veterans for progress. United States Marine Corps veteran. First and foremost, I just wanted to mention that 7 through 19, 20, 27 are for tax credits, and we are supportive of all these measures for tax credit. Now, number 7 having to do

[10:16:02 AM]

with a health care district for a health and wellness campus within a 208-acre colony park sustainability community is very important, very appreciated. This should have happened a long time ago in prior administrations and it didn't happen. So anyway, I'm glad to see that on the agenda. I believe item number 33 involving council at risk youth or juvenile delinquency is very important for prevention of children becoming juvenile -- at the juvenile court and after that, after juvenile detention, I've seen a lot of kids, I'm a mentor at Gardner BETTs and used to be for a long time and I'm proud of that. Item number 47, is that item 47, mayor? >> Mayor Adler: Item 47 is remaining on consent. >> Okay, is having to do with champion national security. Let me bring a complaint.

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I go to south congress and visit some of the stores out there to buy my coffee and just to spread the wealth and ask if there are any questions or things I can do at city hall, whatever, and some of those guards have been very disrespectful. I'm a former IRS investigator, went through the academy, class of '93, and why should they do that to me, mayor and councilmembers, and you too, manager, and you too also Ann Morgan, why is this Mexican-American being profiled? This is something that shouldn't happen

in Austin. I'm well known, ran for city council twice, justice of the peace, ran for mayor, but I also helped you get elected. The issue is why should this happen. Internal affairs need to be in place for this type of interaction, it is very, very ugly and I'm not got to

[10:18:03 AM]

put up with it. I have a team of legal experts just helping me out on this issue. Word to the wise on securitas I know and way land, but these are very discriminatory people over there. I still have my badge. It is not appropriate. I'm telling you this, also Ann, you are the city attorney, and you are the city manager, and mayor, you are the mayor, so it's got to stop and somebody has to talk to these people, otherwise I'll file a federal lawsuit. Anyway, just wanted to let you know, and mayor, I've been tough on you, but I really do appreciate you, your leadership, but you got to help the homeless. It's getting worse and I don't want to hear no more stuff like no more homeless veterans because because there's services. We have a lot of things to speak on, I have visitors here, thank you very much, but get this resolved.

[10:19:04 AM]

I'm not going to put up with it. I will file a federal lawsuit. >> Mayor Adler: Thank you. Consent agenda 1 through 57 and 82 and 83 with the following items pulled. 12, 27, 28, 35 and 46. Council, any comments on the consent agenda? Councilmember alter. >> Alter: Good morning. I wanted to speak briefly to item 54 a resolution affirming the nonpartisan leading together 2020 cities agenda that was developed by the national league of cities to address key issues that keep Americans up at night. The resolution calls on all candidates in the 2020 presidential election to adopt four priorities in the first 1200 days of their new -- 100 days of their administration. These should sound familiar as priorities we have here in Austin. Building sustainable infrastructure, creating a skilled workforce, ending housing instability and homelessness, and reducing gun violence.

[10:20:04 AM]

Here in Texas and across America our cities are strong and leading the way to solve problems. As local leaders, each of us know that governing effectively is not just about what we do, it is also about how we get it done. With this resolution we are inviting the federal government to partner with us and local leaders around the country committing to the 2020 cities agenda is a commitment to achieving a brighter future together. I'm pleased that this resolution looks like it will pass unanimously and I want to thank my co-sponsors mayor Adler and councilmembers harper-madison, kitchen and Renteria for signing on to this resolution. >> Mayor Adler: Any further -- sorry, any further council comments on the

consent agenda? Councilmember kitchen. >> Kitchen: I have a comment on item number -- item number 50 which relates

[10:21:05 AM]

to authorizing \$37 million for body cams and other items. And I just want to state that I'm happy to see that we're moving forward with this. I'd like to suggest that, you know, there's a concurrent policy that we're working on that relates to public access and review, and that policy has been delayed. So the community would really like to have a good policy in place and I think it's important as a city that we have a good policy in place as we move forward with -- with these items. So I just wanted to encourage APD and our city manager to finalize the body cam policy as soon as possible and working with the community. >> Mayor Adler: Okay. >> Casar: Mayor? I would like to pull that item because I understand there might be some spokes that were trying to sign up to speak on it, but I don't know if they are here yet. So I'll just pull it for now and if they come in time, we will hear them.

[10:22:06 AM]

>> Mayor Adler: This is item number 50. It's being pulled. Okay. Any other comments on the consent agenda? Yes, councilmember tovo. >> Tovo: It's my understanding 12 is still on the consent agenda. Is that correct? >> Mayor Adler: 12 has been pulled. >> Tovo: Oh, it has been pulled. I'll make my comments then. >> Mayor Adler: Any other comments on the consent agenda? One last time, is there a motion to approve the consent agenda, items 1 through 57 and 82 and 83, pulled items 12, 27, 28, 35, 46 and 50. Is there a motion? Councilmember pool makes the motion, councilmember alter seconds. Discuss? Those in favor? Those? Unanimous on the dais. Let's hit the items that have been pulled. Let's call 27 and 28

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together. We have some people signed up to speak on those. I want to call those at the same time. >> Renteria: Mayor? >> Mayor Adler: Yes. Councilmember Renteria. >> Renteria: I just want to make a comment on 27 and 28. Last year they were also applying for a tax credit and they decided that they could wait until this year for the second tax credit. And the process. And I made a commitment to Chalmers that I was going to support them 100%. This is a very important project in my neighborhood. These people are -- the people that are living in Chalmers are having to live in a building that was built in the '30s. It has no air, no central heating. It's just in very bad condition. And I hope that we can get

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the whole -- all my colleagues to support this very important project and I'm going to let the people come out and let them speak and let them testify of the living conditions, and that beautiful project they just finished last year, just amazing that they were able to come into these brand-new apartments and you should see the people with a joy, they had so much joy that tears were running down their eyes, to see the living conditis they are going to be living in. It's such a beautiful apartment and we need to continue our commitment to finish this very important project. Thank you. >> Mayor Adler: Thank you, councilmember. Let's begin with Mary postula. >> Good morning, everyone. I serve on the housing authority commission for two years now. As commissioner, I personally appreciate the time and effort you spend every day and every week listening to the community, considering policy changes that impact our entire

[10:25:08 AM]

community. Thank you for what you do every day. Fortunately I have already moved into haca's newly constructed property at Chalmers south. I'm very happy at haca construction. I get to live in a beautiful apartment with central heating and cooling and modern amenities. Your support for a third phase is appreciated by all residents at Chalmers west. While they still live in one of the oldest properties in the nation. They are anxiously waiting for their units to be redeveloped. In addition, over 200 new families can also move into Chalmers courts. When all thee phases are complete, not only is haca rebuilding the 158 public housing units, they are adding an additional 240 units. That bears repeating, 240 more units. Therefore we thank you greatly on behalf of the residents here today and the

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others who wrote you letters and kids who sent you pictures, your support will ensure housing for very low-income families are redeveloped, modernized and expanded. Together the city of Austin and haca are ensuring that existing affordable housing is modernized and preserved for very low-income families. Through our concerted effort we are also building more affordable units here at the center of town. I look forward to our collaboration at haca's next property that will modernize, maximize more affordable housing. Thank you very much. >> Mayor Adler: Thank you. [Applause] Isabelle flores. >> Hi. Good morning, my name is

[10:27:11 AM]

Samantha Davis, I'm here as a resident of Chalmers west. I would like to thank you for the support for myself and others moving into the area. My children got the best education going to one of the local

schools in the area. When my vehicle was messed up and -- from having to get up every day and getting children to school, there was actually local bus routes that allowed me to get my children to school on time living in the area. It is one of the benefits of staying in the west side of Chalmers. So once the new phase is built, I would appreciate the access to have local washers and dryers in my unit because when the wintertime comes as today, yesterday, we can't actually do our laundry and actually hang it outside any longer because we're trying to keep a family inside and keep them warm, we can't afford to go to the local

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laundromats, we have to wait until the weather clears to do our laundry. With having five children in the home with different ages anywhere between toddler all the way up to teens, it's really hard when they want to play outside or anything in that area and there's not much that they can do, but with the new Chalmers west being built, we'll have access to more opportunities, we'll be able to get where we need to get to, our children would have the best that there possibly could be. There will be new families moving into the area with the space that we have right now, it's very limited. We cover probably about a block, but the new apartments would give us an opportunity to be better than just modern citizens. So we would like to thank you for your new phase at Chalmers. [Applause] >> Mayor Adler: Thank you.

[10:29:20 AM]

Is Israel flores here to speak? No? Thank you. Gus peña, do you want to speak on this? >> Mayor and council and city manager, my name is Gustavo peña. I grew up on east 25th street. I have had a lot of my cousins who reared their children or grew up their children in this Chalmers courts. So we have -- we have

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history here and I thank each and every one of you all for supporting what just occurred and has been occurring for the Chalmers courts, and I would wish also for Santa Rita also and the others is very important. The people deserve the best of care, the best of housing. And sometimes it isn't happening, but it is happening today. And I want to thank each and every one of you that were involved in this. It makes me want to cry because it took so long. And thank you very much for what you've done for the community and each and every one of you all, I appreciate you all very much. Thank you. >> Mayor Adler: Thank you. Councilmember Renteria moves passage of items 27 and 28. Is there a second to that? Councilmember harper-madison seconds. Any discussion? Those in favor please raise your hand. Those opposed? It's unanimous on the dais, 27 and 28 both pass. Thank you for coming down. [Applause]

[10:31:23 AM]

Okay, let's pick up item number 12, which is the we issue. We have three people signed up to speak. Is Brian Wallace here? While you are coming down, is there Alan Ortiz here? You'll be up next. Go ahead, sir. >> Thank you so much for your time. I know this probably doesn't seem quite as important in wake of what I'm speaking after, but I do want to talk about the issue that is at hand there. And I'm speaking in favor of this and it's based purely on safety. The two points that are picked for these no-wake Zones are extremely important and this isn't coming from a city member, I actually work for a business here, nautical boat club. We operate locally as well as operate the franchise nationally.

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And the safety, so the two points you are looking at obviously contain ramps. They have the only gas station on the lake. So a lot of families are coming out there and I could show you some gruesome pictures from years past. It's one of those areas where you just have to have control of the flow of traffic. The amount of money these companies put into these boats, the wakes they make now, you are not able to stop it. So when people are fueling up, they are getting injured. I know the Austin police department, the lake patrol can speak to that. It's just one of those places where you need people to slow down. I think that the city manager's office, the proposal is spot on, strongly in favor. And again, I mean after a decade of experience on the water, you know, normally I'm not up here speaking about things. Normally it's just go about your business, do what you want, but this is truly a safety issue. It's the same reason we put a 15-mile-an-hour speed

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limit by school Zones because we know there's a higher chance of people getting hurt doing these things. And simple things like wave breaks, it's no longer a solution. Have you to stop people from driving by there. Obviously if this continues, we would invite you all down, you can take a look from the gas dock, we'll take you out on a boat and see what people are going through. I don't want to see any kids get hurt out there, don't want to see any people get hurt out there. To be perfectly frank, I notice members of the boat club are not going to be happy because it's going to take them longer to get out, get back in, cuts into their fun time, but again it's not about fun. Our number one priority is making sure people are safe. I hope you all see it the same way. If you have any questions or would like to see firsthand, we would welcome you down there. >> Mayor Adler: Thank you. >> Thank you. >> Mayor Adler: Ms. Ortiz why don't you come on down.



[10:34:23 AM]

Jake kagen, you will be up next. >> Good morning. I'm he will Lynn Witt Ortiz. I've been a lake user for the last 25 years, lived on lake Austin the last 12. I was a member of the lake Austin task force back in 2013, and I was chair of the lake use and management committee. We are -- the committee, the task force spent quite a bit of time, as you can imagine, deliberating this particular issue and had a very difficult time coming up with consensus on what to do. We recognize there are safety issues and what we can do legally about them. I did sign up against, and my thoughts are are this. There's two Zones that are being considered for no-wake Zones. One is at the end of the lake, one is in the middle of the lake. The one at the end of the

[10:35:24 AM]

lake is, I would say, typical of what other areas do for Lakes as far as it covers the boat ramp, it covers three marinas, it covers the gas station. It's the only gas station on lake Austin so obviously that's a critical police not only from a safety perspective but an environmental perspective. Essentially that the waves can be so significant that you can't pump gas properly and gas can be spilled. So I'm not -- don't have as much concern about that particular no-wake zone. It is a lot bigger than what is there now, but I do think that it will promote safety of people in basically three different areas, the boat ramp, the gas station, and then three marinas that are there. As far as the other no-wake

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zone, it is really an unprecedented place to put a no-wake zone. It is in the middle of the lake and so if you are trying to get from one area to the other you have to go through it. I've never heard of this kind of -- this kind of location before and I'm very concerned that we're going to be exchanging one set of safety issues for another set of safety issues. Namely that stand-up paddleboards because of this great calm area are just going to fill it. And then you've got boaters and stand-up paddle boards that have conflicting paths and, you know, I respect that the -- the company says they think it's great for safety, they are going to be having paddle boards filling out to people to rent out this area.

[10:37:26 AM]

I'm sure you know what this area looks like in the summer, a conflict. [Buzzer sounding] Thank you. >> Mayor Adler: Thank you. Mr. Kagen. >> Jim kagen, I'm a -- was born and raised in Austin. I learned to water ski on lake Austin. He was three years old. I have three-quarters. I taught my twins to water ski on lake Austin when they were three years old. They learned at the area in the proposed no-wake zone

direct I up from the bridge. My point being it was safe enough to teach my children to ski there, it's safe enough to boat there. I taught my other daughters to slalom key in front of the dam. I know there are safety concerns on the lake, those concerns are broad ranging beyond just the use of these particular areas. I would say from a lake usage standpoint these are also, in my opinion, the two best places on the lower

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half of the lake for water sports. Meaning they are the smoothest water, the area around the dam is a very wide section of the lake and the area upstream from the bridge is also a very wide section. Pushing back a little bit respectfully against some of the operators that run rental services out at the lake, if you go out Saturday or Sunday you will find 12 to 15 boats staging or milling directly under the dam -- or under the bridge and in front of the dam. Though don't pull off the sides. If we're talking about a safety issue standpoint, that is worth talking about on a different day. But I personally use the lake, I mean my boat has 2,190 hours on it right now, use it a lot. It's safe enough to teach my children to see in these areas. I would encourage you all to vote no. Thank you. >> Mayor Adler: Thank you. Is staff here to explain the

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basis for a no-wake zone in the second location? >> Ray, assistant city manager over safety. Good morning, mayor and councilmembers. What was the question again? >> Mayor Adler: There were two location. One the speaker recognized also as being a safety concern, but there was one suggested was unprecedented and I just want to know the rationale or basis for the no-wake zone in that second location. >> Certainly. As council knows or is aware, the lake Austin task force produced its report in late 2013, 2014, which actually recommended amongst other things in this particular element to put a no-wake zone along the entire length of the lake. So some of the consideration that we went through in those early -- in that early time just after the

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direction from council to enact an ordinance that would accomplish that was -- would be the significant cost for insulation of the buoys as well as maintenance of the buoys. In order to successfully enforce a no-wake zone along the entire length of the lake, the lake patrol would have to have buoys off set from the shoreline in adequate spacing so that they could, in fact, be able to testify that the boater was inside the 50-foot limit to be able to have a successful prosecution in municipal court. Based on that information, we went to -- council actually directed us in a resolution to go to Texas parks and wildlife to see if we couldn't get an exception to that for the requirements to have buoys along a no-wake zone.

The Texas parks and wildlife denied that request saying there was no specific spacing required so it was up to the city to determine

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what those spacings should be. One of the other things that in addition to the investment and cost of putting a no-wake zone along the entire length of the lake is Austin police department already has a couple of state statutes under the Texas parks and wildlife code in order to enforce against hazardous wake or wash as well as reckless operation, which would mitigate wakes along the length of the lake for the purposes of safety. However, in reviewing the lake Austin task force, it did appear there was an opportunity to increase or to improve public safety and so Austin police department lake patrol reviewing the information they had along the lake for citations came up with the recommendation of allowing two of these specific areas that you see that are provided on the maps to establish no-wake Zones proposed before you today. >> Mayor Adler: Thank you. Further discussion? Councilmember alter.

[10:42:31 AM]

>> Alter: I'd like to move approval of item 12. >> Mayor Adler: Seconded by councilmember tovo. Any discussion? Councilmember tovo and then councilmember Flannigan. >> Tovo: I just wanted to thank staff as ray indicated this has been a very long process. When I was involved with long ago at the beginning of it so I really appreciate 2 way that you've worked with all of the different parties to come up with a good resolution and one that was feasible. And I want to just pause for a moment and thank Alan Roddy and Lind good Guerrero and the late Carol Lee who evacuated for the task force and went out of their way. I think Alan took several of us out at various times on the lake to really illustrate some of the conditions that were there and some of the safety challenges those posed.

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My thanks to everybody who served on that task force. Sorry it's taken seven years to see some of these recommendations come to fruition, but I understand it's complicated and appreciate the staff who have been working on it. >> Mayor Adler: Mr. Flannigan. >> Flannigan: I represent the northern half but I have heard from constituents to shared these concerns. Pastor Rigby pointed out this morning these are choices that if it's not on consent are always challenging. I'm going to support the item. I've heard from constituents that are concerned about safety, I've heard from constituents that are concerned about their use of the lake, and I think, you know, when in doubt we have to err on the side of our public safety professionals. >> Mayor Adler: Councilmember alter. >> Alter: Thank you. I'm happy to see that

we are moving forward with this recommendation. It's a matter of safety on the water. The usage level on lake Austin has increased since

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the lake Austin task force report came out, and I think this is a really important next step. I would ask that staff be cognizant if we are finding conflicts between paddleboats and motor boats particularly under the bridge that we consider what we might need to reevaluate. The beauty of this solution is it cost very little money to put a bunch of buoys in. We have police staff out there enforcing rules on our water every day, and, you know, this is really a way to promote safety in a way that our police can enforce the rules. It has the opportunity to change where the buoys are located or to move it back without a lot of consequences should we find that this move is not the appropriate step. And so I would just reiterate conversations that we've had in working on this

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that we can reevaluate as needed and we may actually need to lengthen the no-wake zone under the bridge at some point if we find it is a solution that's working well. We have had these no-wake Zones for the golf tournament and they have proven helpful in those situations, and I believe this is a step forward for safety for our community that's using the water. So thank you. >> Mayor Adler: Passage of 12 has been moved and seconded. Those in favor please raise your hand. Those opposed? Unanimous on the dais with councilmember Casar off. Item number 12 passes. Thank you. That gets us to item 35. We have six folks signed up to speak. Is Theresa Blackman here? And while Ms. Blackman comes

[10:46:34 AM]

down, the next speaker will be Lisa haven. Is Lisa here? Go ahead, ma'am, you have three minutes. >> My name is Theresa Blackman. Commission, this is one thing that a lot of people don't understand how many of the population is very risky right now. Only thing I'm asking you all to do is just take an inside look at the shelters we are staying in right now. The reason I say that is shelters is not fittable for us. I just want you all to take one day out of y'all's time to come live on the streets of Austin. The reason why I say that is because we're a people. We bleed. We cry. We are asking you all to help us with this homeless population. And to my terms, I've been doing this for years. It's not my first rodeo ride

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of being homeless. Some people, they came with me today, they are speaking out. And only thing I'm asking you all, each and all of you all, take one day of your time to just come live in a shelter and see how you would like it. It hurts. We got to come out here every day, get criticized by people that we don't even know. Why are you all criticizing us? We're not out here being, like, violent killing people. No, we're people. Documented 2010, tent city usa. Check that out. All I'm asking you one day just come out and live out on the street of Austin. Got to think where your next meal going to come from, how

[10:48:35 AM]

you going to wash your clothes. Some of you thinking back of your head oh, this is just something we don't really want to hear about, but in reality you are not going to end the homeless population if you keep putting thousands of dollars into buildings and putting it here and there and everywhere else. Why don't you think about the people that are living on the streets, about the people that stays in the shelters every day, about families that need help. Think about people on disability, think about people that just go from shelter to shelter and life to life. I didn't choose to be homeless. My family put me there. And only thing I'm asking you all to a the one day to come out and venture the homeless population. But you got to understand and realize we're people. We bleed the same way, cry

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the same way, we put on our clothes the sameay. Women, women, it's not safe for a woman to be living out on the street. [Buzzer sounding] It's not safe. >> Mayor Adler: Thank you. Thank you for coming down. Ms. Haven. Is Deborah Nugent here? You will be up next. >> Thank you for your time, my name is Lisa haven. Two years ago I was a truck driver. I had a job. I had a home. A car. Bills. A life. I don't have that now. I'm a homeless person. And in your eyes I'm somebody you walk across the street to avoid. I'm somebody you sweep under the carpet.

[10:50:38 AM]

I'm somebody you pity. I'm a person with a brain. I'm not an alcoholic. I don't do drugs, never have. I'm not one of those people. And yeah, there are those people out there, but the reason they are that way is because you people turn your head. You don't want to see the ugliness, but you know what? We don't want to see it either. Unfortunately we have to live it. So take the money, give it to somebody who is going to spend it correctly and not put it in their pockets. Okay? And help us. Thank you. >> Mayor Adler: Thank you very much. Thank you for coming down. Ms. Nugent, why don't you come on up. The next speaker is going to

[10:51:38 AM]

be Clifford Mishler. Is he here? Thank you, sir. >> My name is Deborah Nugent. I stay at Salvation Army. And I want to say in their favor that they are very enormous burden for this whole area. And there needs to be more help here in Austin. The community needs to come together as a whole. I became homeless seven years ago when my husband -- my husband's job was do you know sized under the -- downsized under the Obama administration. I've been homeless ever since. I've been staying in shelters. And I want to talk about the fact that we don't need to outsource someone to come in and help with homelessness. We as a community can do it by bringing together churches and human resources

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and various organizations to invest in buildings to house the homeless. Just give them a room. That's all they need. And do it for free because they -- they can't just pull themselves up by the boot straps. There are times in society when people become disenfranchised due to social and economic changes that they have no control over. And they can't get back in. And they need to be lifted out of homelessness. And I want to address the fact that this is not socialism, it's not communism, it's being conservative. It's using human resources in a positive way and helping them to get on their feet by finding productive

[10:53:42 AM]

work that they can do even if it's making furniture or artwork or something like that. Because many of the homeless are -- are disenfranchised or can't get back in the workforce because they have some trait or some flaw that keeps them out of the social world. Sometimes it's being handicapped, sometimes it's psychological problems. It's drugs and alcohol less than you would think. It's a problem that exists in and of itself without drugs or alcohol and it's not a choice. Addiction is a choice, drunk driving is a choice, homelessness is not a choice. Therefore the community, not

[10:54:45 AM]

the government, the community -- [buzzer sounding] -- Needs to come together and fix this by providing space. For living. Thank you very much. >> Mayor Adler: Thank you, Ms. Nugent. Mr. Mishler, come on up. While he comes up, the next speaker is Christie Thompson. >> Good morning, Mr. Adler. Your last name in German means ego. I'm homeless because of an emotional problem. My wife died about four years ago. Then my mom, dad, grandmother. I got ten years ago I got stabbed. They stole me \$25,000. I have a colostomy for the rest of my life. Everything is a push over go there, go there, go over there. How is that going to stop? I do not drink, never have drank in my whole life,

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never have drunk in my whole life. I have an even clue record. Everywhere I go on the corners and streets, I see drugs all over the city of Austin. Why does the police officers not defeat the drugs. They gave me a ticket [indiscernible] And the arch, huge full of drugs, they don't do nothing, but they worry about kicking homeless people out under the bridge. Kicking them out where they stay because they have no place to go. When is the city going to put their hand on their heart and say we have to help them? How long are you going to be sitting there listening to us. Probably nothing going to happen. Thank you. Have a grateful day. >> Mayor Adler: Thank you for coming down. Ms. Thompson, come on up. Is Brian Thornton here?

[10:56:53 AM]

>> My story is similar to Lisa's in that I had a home, a car, et cetera. September 20 I was in a near fatal car wreck with my wife who suffered severe injuries. Her pelvis was fractured in five place all the way across. Her hip was dislocated and her knee has been rebuilt. She is rehabilitating and unable to be here today. That put us in a homeless position. I did a little homework in researching this gentleman in which you are looking to pay as an expert, though I don't see anything of him suffering any struggles. I don't see where he may

[10:57:53 AM]

have even had to buy his own car as a teenager. My point is how is he an expert in homelessness? When you have experts right here. You have experts all over the street. Do you take the time to ask them with compassion how they find their food and their medical care or housing? How they came to be on the street? I've experienced horrendous treatments both in a shelter here in town and on the street. To experience another human being treating another human

[10:58:53 AM]

being like they are of more importance than the other is an atrocity that I would never put on another human being. And it's really sad to see it. Over and over throughout the course of a day. I many a full-time employee. In fact, my wife has trudged through and she's back so we can get ourselves back on course. But it's very difficult in the position that we are in because of the lack of housing, the lack of

resources within the shelter that we stay. We just ask that with compassion you consider or reconsider this money being spent more wisely. Thank you for hearing me.

[10:59:53 AM]

[Buzzer sounding] >> Mayor Adler: Thank you. Mr. Thornton. >> Thank you, mayor and council. Brian Thornton. I live and work in district 9. I agree with the last speaker. I'm opposed to this contract. With this contract I believe we're setting ourselves and Mr. Doherty up for failure. After looking at the backup, listening in on work session on Tuesday and reading some recent news, questions arose in my mind. I want to back up. It seems the decisions of Ms. Harris seems to have derailed our focus. We initially wanted we initially wanted someone who would live in Austin and become immersed in the issues that we're facing. But now we seem to be hiring

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a patchwork of high paid consultants, one of whom at issue seems to have another contract with the state of California, and is potentially going to be operating out of Washington, D.C. Helping California solve their homelessness problems is a monumental task and I just don't understand how we're going to expect someone reasonably to assess, offer solutions and execute solutions in eight months when the state of California it looks like is potentially another one of their clients. I'm not sure that Austin is going to be the priority in that scenario. I think we in short have lost our way and need to get back to our original focus of hiring a full-time homelessness services officer. On top of that homelessness increased on Mr. Dougherty's tenure on the interagency

[11:01:57 AM]

council for homeless. New data suggests that is because of the previous administration's focus -- strict focus on a housing first approach, which decoupled housing services and treatment. And it appears that that conventional wisdom needs to be rethought. So once again, I think we're setting ourselves up for failure. The questions I would like for you all to ask yourselves and ask our staff is will Mr. Dougherty be living in Austin? Will he be maintaining a job with the state of California and what are the metrics for success after eight months? Are we considering a longer term contract with Mr. Dougherty? I don't understand again how we could reasonably expect someone to make meaningful progress on our homelessness challenges in a mere eight months. Thank you. [Applause]. >> Mayor Adler: Thank you. Thank you all for coming down and speaking on this issue. That gets us back up to the

[11:02:59 AM]



dais. >> Mayor, I signed up for this. [Inaudible]. >> Mayor Adler: I don't have you, but why don't you come down and speak. You're not on the list, but I'm happy to call you. >> Thank you for allowing me to speak as well. I didn't spend last night in the shelter. I've been there. I am not there now. I found my way out of homelessness into a job and I slept in a comfortable bed last night like many of you did. And I took a moment to write a few words down. Understanding the situations from both sides, having been both homeless and homed, I've landed firmly on the side that the solution cannot be found solely in government. I for one do not look for you to solve the problem.

[11:04:00 AM]

However, I do look for you to lead us in solving the problem. Whether you be a person of faith or not and whether you be a person of great property or not, it does not matter. We do not find a -- if we do not find a real solution, homelessness will only continue to grow as it has. Simply throwing another government agency and money in the general direction of homelessness will never solve the problem. Individuals aimlessly dealing with various homeless people will only continue the status quo while we have our fellow humans suffering. The chronically homeless surround us and yet they have become disconnected from society. If we wish to answer their plight, we must bring them back in. We have to find a way. I'm calling on the city council to lead us, to find a way to make us all whole for when we are surrounded by those we do not truly accept, none of us are whole. As long as solutions are

[11:05:00 AM]

government only there will simply be more disconnect. As long as you believe money is the solution, there will simply continue to be that same disconnect. As long as you do not truly lead, we will continue to be a broken society. Make us whole. The homeless may need help, but they're not helpless, but many have lost hope and they have become hopeless. This is a problem that can no longer be tabled. It cannot be pushed aside. We have a real problem. We need a real solution. And what we need is real community engagement. But to have that we need real leadership. We need personal engagement from you. We need you to lead the way. And not from behind your desks or your computers. Help us find a way. As a society we can no longer afford simple platitudes. We cannot afford answers that are at arm's length.

[11:06:01 AM]

We must get our hands dirty while we stand beside our fellow citizens and aid them in digging out of the holes where they have found themselves. As one who has been homed and gainfully engaged, today I ask you to find a way. Not as government, but as our leaders. Thank you for hearing my heart. I am not

unique in my compassion for these and I'm not alone. [Buzzer sounds] But we need you to lead us. Thank you. >> Mayor Adler: Thank you. Sir? Would you please go to the clerk and give the clerk your name? Mr. Pena? You have three minutes. >> Mayor, good morning again, Gustavo Gus Pena. These are individuals that I met on the streets. Cliff, I've known him for many years, he as did my beautiful sister, I don't

[11:07:01 AM]

want to cry, but it's got to stop. What is this gentlemen -- I don't mean my disrespect but I'm a former IRS investigator, I've done my job and what is this gentleman going to bring to Austin, Texas? Is it appropriate expenditure of funding? I don't know. Consulting services is? Don't we have people already on health department staff to help us out? Don't we have now consultants to help out, combat homelessness. We do. This is just \$95,000 that shouldn't be allocated to this gentleman. We have experts here. Use the experts right here. You know, I don't want any retaliation to anybody from anybody over there because we spoke about the Salvation Army, Arch and everything. By the way, Mayor, Arch is still bad right now. I went down there

[11:08:02 AM]

undercover, dirt in all my face, grew out my beard, it's still bad. I want people to respect these individuals and other individuals that are experiencing homelessness at the Arch, Salvation Army, to be respected. My first bout with homelessness was 1975 when my mom ran me out of the house because she said you're tough on your brothers and sisters. And I told you about the story because my wife Carmen and I helped you get elected over Martinez, which sometimes hurts. But we have to have a better process to help the homelessness, but not only the wraparound services, also to be self-sustaining in jobs and respect and love the people out there on the streets. A lot of people -- more people wanted to come over, but they were scared of retaliation. So I don't know what you're going to do with this gentleman, Matthew Dougherty consulting services. We have so-called experts already on staff. Why are we spending money on

[11:09:03 AM]

somebody from the outside? And I bet you it's not just going to stop at \$95,000. He's going to want more. It ain't going to happen on my watch. So think about it. Ann, I've learned a lot about the law from municipal court and criminal courts officer. I ran for justice of the peace too and did a bad job of it. I ran for city council and mayor. But I'm still IRS investigator, still active. This ain't good. Love these people, respect these people, help the people out there in the Arch, Salvation Army to respect them. I love them. Cliff, thank you for bringing this up. My little -- my sister here, everybody, everybody having the

guts to come speak to each and every one of y'all. Repair it. Thank you very much. [Buzzer sounds] >> Mayor Adler: Thank you. >> I have one thing to say -- I have one thing to say. Before the day is over I need you to type in tent

[11:10:04 AM]

city U.S.A. Owned by Oprah, check it out. >> Mayor Adler: Thank you. That brings us back up to the dais. Councilmember kitchen. >> Kitchen: I wanted to say a few things about this item. I wanted to first say thank you to all of you who came and shared your stories with us. I hope you understand and know that we are listening to you and that it is very helpful personally to us to hear your stories and I know it's not easy. So I really appreciate you coming. I want to say to our city manager that I would expect to see this person working with community stakeholders and community stakeholders needs to include people living on the streets in our community. So I know we have a homeless advisory council, we have other methods, other ways to

[11:11:04 AM]

talk with people. We need to make sure that this individual talks with people like folks who have come and talked to us today. So I also think that the gentleman who talked about the importance of-- I forget how you put it, but metrics for success or understanding how we are achieving what we want to achieve with this. It know that, city manager, you and the staff have been reporting to us on a monthly basis. I'm expecting that will continue. And you can continue to help us understand the -- how Mr. Dougherty is working with the community and how he's helping us to make a difference on this issue. So thank you. I wanted to -- I hear the concerns that people are raising. I think that we can -- I hope that we can and I would expect that we could -- that we do with this contract address the concerns that they're raising. Can you speak to that for a minute, city manager? >> Thanks for addressing

[11:12:05 AM]

that, councilmember. Those were some of the themes that we already have talked about with the consultant and knowing that going forward this is part of the Austin model to make sure that we are working with and from the community. And so both part of the work and then the reporting to council will be integrate in determining how much we use the services in the future. >> Mayor Adler: I missed the conversation, being able to participate in it earlier in the week because I wasn't in town. I think that part of the conversation that we've had this week relating to fires that occurred at a camp, I think it is important to note that camp had been there for years. It's not the only camp like that that exists in our city that have been there for

[11:13:07 AM]

years. Somehow or another the debate in this city or discussion about people experiencing homelessness has raised the question as to whether or not this was a challenge that was created by ordinances adopted by this council last year. It's not true. The ordinances didn't create any more people experiencing homelessness in our city. But I think that coming out of that conversation, and especially this past week, more and more people are recognizing that there are people experiencing homelessness all over our city. Those camps already existed. They existed before this council took any action. In fact, it was because those camps exist, because there are people experiencing homelessness in our city for some time that this council made addressing homelessness the number one priority of our council two years ago.

[11:14:10 AM]

We need to continue that work. It is unfortunate that there are loud voices that are trying to redirect the conversation away from dealing with this challenge in a way that we can productively solve that challenge. But this council is going to stay focused on doing what we know works, focused on the data and focused on getting this job done. To that end, manager, and I wasn't here, I want us to move forward on the motel strategy. I want us to start finding more places for people to go that are on our streets so that we can get them off our streets. We know it works because we've seen it work in several areas, but I want us as a city and as a government to start better

[11:15:11 AM]

communicating to our community why it is they should be hopeful about our ability to meet this challenge head on and in a productive and successful way. And we need to increase the inventory of places to be able to go because we find better and safer places for people to be, but also to be able to demonstrate to the community that we can in fact get that done. I am going to support this item today because I think it's all hands on deck issue. This is someone that has dealt with this challenge in virtually every city across the country and will be able to bring to us his perspective on best practices. I am hopeful, but we need to move forward. Councilmember Flannigan and then councilmember Renteria. >> Flannigan: I have many thoughts about this and mayor, I agree with a lot of

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what you said. I'm not going to support this contract today because I don't feel sufficiently educated about how we have adjusted for challenges that we experience under the homeless strategy officer around without those challenges really accounted for I'm not really for bringing in outside support. I'm also concerned about to the extent that we are continuing to do smaller deals up on this dais when we should be coordinating this effort through echo. And if we were coordinating this effort through echo it would be simpler for us and echo would be able to do the work with our non-profits in a more coordinated way. I'm just not convinced. >> Mayor Adler: Councilmember Renteria. >> Renteria: Yes, mayor, I'm going to support this item. A year ago around this date I went down willow creek off of Riverside and saw some of these hidden camps and it was -- I just -- I was amazed that people were

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living like that in this kind of conditions that I saw down there. And after I left I saw all these people with candles keeping warm down in there in those tunnels. And two weeks later that place actually caught on fire and burned. And we're in the process now of looking for a solution of trying to keep people from living down there by putting these -- some iron Gates there to keep people from having to live in this these kind of conditions, but you are correct, we need to find different locations in different sites all over town so that people can stay there. I mean, people are already and have been living like this since I was born here 69 years ago, there were homeless. We called them hobos back then. And before they built town lake there before the dam came up, that's where they were living at. There were community down

[11:18:13 AM]

there. And during the floods -- which it floods here in Austin, especially around Halloween and memorial day, that's when we get the big floods. It would wash everybody -- everything they own down the river. And you know, -- but we need to have resources to be able to control it, but unfortunately we have a state governor here in Texas that just refused to work with us. That location they have in my district in montopolis is deplorable. I went down there and some of my colleagues were down there and saw the living conditions that they were living in. I mean, they have one water hose and two wooden boxes with no roof on it where they have to take their showers. Where they take their showers. They have two little small tubs with no drain, a bucket underneath to catch the --

[11:19:14 AM]

when you unplug the drain so can you get the water unplugged, run the water off into it, and that's where they wash their clothes. That's how they wash their clothes. And \$95,000, I think it would become a well spent money for having the resources of someone that has the connections and now-

how to go out and get the resources and coordinate this problem that we're facing here. And this is a national problem. It's not a local problem. It's everywhere. No matter where you go. So I want to be supporting this. >> Alter: I just wanted if staff could speak more directly to the anticipated role. I think we're all extrapolating from the

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little information we got on Tuesday and perhaps you can address the concerns. >> Sure, good morning, councilmembers. My name is Chris Shorter, I am the assistant city manager for outcomes associated with health, environment, culture and lifelong learning. This engagement, this contract is intended to be very strategic and tailored, I will -- >> Alter: Can you pull the mic up a little? >> Is that better? So this contract is intended to be tailored and very strategic. I will also say that we intend to actually conduct a recruitment during this eight-month period with the Austin public health to recruit a lead ahead of the Austin homeless services division as we evolve and move homeless services within public health. I will say that we are intending during this eight

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month period to ensure that Matthew Dougherty is working with other consultants scheduled to be here, including the audit and review of our contracts and grants, and that during that engagement we fully intend to engage folks who are experiencing homelessness here in Austin. So as mentioned earlier, there is an advisory council made up and composed of individuals who are currently experiencing homelessness and we intend fully to have Matthew Dougherty once this contract is negotiated and executed if supported by you all today, we fully intend to have him engage those who are experiencing homelessness through the advisory council along with other consultants evaluating this system. I'll also say that our deputy city manager met with providers, those organizations who are providing direct services to those who are experiencing

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homelessness and there was certainly expression by the community of service providers that the need for strategic planning is certainly -- could certainly be helpful for our system. Matthew Dougherty as mentioned earlier brings a wealth of experience. We hope to leverage that experience to bring more resources, ensure that those resources that are available to us nationally and through the federal government are being leveraged here in Austin. I hope that answers your question. >> Alter: Thank you. I think the latter part got closer to that. So you mentioned that it would be a strategic and targeted contract and at the end up mentioned some information about helping us to leverage federal funds and do strategic planning. Can you speak more about the strategic and targeted nature of the scope of the

work that you would be looking for in this contract? >> Sure. As today's decision really is for authorization and

[11:23:19 AM]

execution, we have not fully negotiated with Mr. Dougherty the nature of the scope of work of the contract. I will say that given his experience we intend to make sure that because he has engaged lead agencies around the country that he is working with our lead agency with -- I should say with echo and our providers to ensure that strategically that we are engaging within the community of providers through echond that we as a government are engaging echo in an appropriate way. So essentially ensuring that our system is operating -- is operating at its most effective -- in an effective way. So I heard the concerns of the councilmember and I want to make sure that we articulate that. That ultimately we absolutely support echo and its role and that we want to make sure that as a system we are operating at our most

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effective. And having a national consultant weigh in assess while we are recruiting for a lead to support the homeless services division and lead the homeless services division makes a lot of sense and can be very helpful for us as we leverage our partners within the provider community. >> Alter: So this is not conceived of as a constitution for having a homeless services officer, although that role may evolve now that it's moving to public health, but it's a step along the way to moving forward with that. And would you say this is also bringing expertise that we do not currently have within the city? >> That is absolutely right that this is not a substitute for a permanent fte. We are, as mentioned in previous work sessions, working to evolve and move homeless services so that it is coordinated within Austin public health. And with that we are scheduled to begin a

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recruitment to find a lead or a head for the homeless services division. And so this is not a replacement for a homeless strategy officer. Really this is again a strategic and targeted engagement so that we are doing this the right way and properly leveraging federal national organizations as well as our service providers here in Austin. And your second question, councilmember? >> Alter: I think you answered it. So is this funding coming essentially from the funding that was set aside previously for the homeless strategy officer or is this additional funding? And if it is additional funding where is it coming from? >> Actually, I would ask public health to answer the question of where the funding is coming from. There may be additional -- I would have to get back to your office in terms of making sure -- >> Alter: It looks like public health is here.

[11:26:25 AM]

>> Good morning, Stephanie Hayden, Austin public health. We have these existing funds in our Austin public health budget. >> For homelessness or for the Austin public health. >> For homelessness. >> Alter: Okay. Thank you. >> Mayor Adler: Further discussion on the dais? Councilmember pool. >> Pool: Thanks. I think what we're seeing is some continued nervousness in the city over how the city is proceeding with trying to help people who are experiencing homelessness, and that's completely understandable. I think we're still trying to square up what happened with the previous homeless services officer, the hso. So I have a question. I don't know if it's you, Mr. Shorter or another staffer. Can you please describe for us all so we can understand the difference between or the relationship between the

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homeless strategy officer and our homelessness strategy division? >> Sure, happy to. So as you remember last year when we introduced the concept of a homeless strategy officer that would essentially report directly into the city manager's office and be supported by the city manager that homeless strategy officer engaged council directly. We have through a memo and previous discussions at work sessions decided to reorganize, bring the homeless strategy office, if you will, into Austin public health. And with that move we are with a homeless strategy division or a homeless services division is what we're calling it, the lead for that division ultimately will serve as the coordinator, operational day-to-day of all homeless services throughout the city that the individual will also, as we begin to ramp up

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recruitment, work with our community partners and service providers directly. It's important that we distinguish what a homeless -- standalone homeless strategy office would have been and was for the city and what the homeless services division will be, ultimately having day-to-day support that stretches across our enterprise. Many agencies participate and are involved in the day-to-day support of our organization. So having someone in an individual lead, the division of staff who have the full support of Austin public health who has been doing this work with our providers for quite some time day-to-day is a much better approach and a much broader approach day-to-day. So I hope that answers your question in terms of the differences between the standalone homeless strategy officer, one individual fte versus a full division of

[11:29:32 AM]



employees who are working to support all of the services and programs that go into supporting our population of homeless individuals. >> Pool: It sounds to me that you're still crafting what the division will look like. Is that a fair description? >> Actually, we have been since announced in late fall working to pull together the ftes and the support. I will say and I'll ask director Hayden to sort of speak to where we are in the build up of the division, but we have been working for at least a month and a half to again to pull together O -- to begin to pull together the division. >> Bella Carmen has been named as the contacting executive over that division. And we have also moved over an administrative person to help her administratively. And so over the next month

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we will continue to build out that division in order to provide the support that she needs. And then that's an internal route to the health department so that we can also be abreast of everything that's happening within health as well. >> So it's important as we -- it's important as we talk about this consulting engagement that we -- that we keep it sort of separate from and not confuse it with the permanent structure that we are developing to support our city and to support our -- the provision if you will of services. The consultant engagements both on the Barbara poppy and her team and associates as well as Matthew Dougherty with your approval today that these are very important strategic againments that will help us improve our system, help make sure that we are bringing the best thinking

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forward here in Austin, but this will not be a replacement for a much more permanent organizational structure and division of staff who are already here, already here in Austin and have been working with our population for quite some time. >> Pool: I think that -- I think the big question that I haven't had answered yet, and maybe it's because the negotiation hasn't been completed is I do think there was a good point that Mr. Thornton recognized about Mr. Dougherty's time and as a contract employee here with the city and his responsibilities in other parts of the country and whether we will have his undivided attention as -- in all ways to ensure that. So for me that's a little bit of a red flag coming hard on the heels of our

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experience with Ms. Harris. I also have -- there's differing levels of philosophy I think city manager on the dais about when the city council takes responsibility for contracting with outside entities on the

negotiate and execute. I'm less willing to allow both to happen together, especially in high profile contracts and high dollar contracts, although I wouldn't necessarily say 95,000 is extraordinarily high, but it is above the level that the city council has set for you to be able to approve the contract. So it puts it squarely in the lap of the dais. For me I want to know the elements that have been negotiated before I agree to signing off on the contract because I think that is the level of diligence that is necessary. And particularly in high profile hires. And when we are trying to,

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frankly, knit together the fabric of trust on all sides of this issue, are we moving in the right direction and will it be sustained and are we being transparent and how accountable are we? And I believe that the level of transparency and accountability in public, for a public position like a council is paramount. So recognizing all of the concerns here, I am not sure -- well, I cannot vote to execute. I would probably be willing to allow this to go forward on a negotiate so that this dais could see what the elements of the contract are. But if this moves forward as negotiate and execute, I will be voting no. This doesn't say anything at all -- this has nothing to do with the good work that our staff are assiduously

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working to proceed with. It goes more to ensuring that we're doing -- that we on the dais know all the particulars of what it is that we're approving. So if I might make an amended, a friendly amendment hopefully that we simply negotiate the contract and bring it back for the public scrutiny and for the dais to scrutinize so that we know precisely what we have in hand. So I would like to make that -- I'd like to -- I can't make a walking -- a talking amendment. >> Mayor Adler: Manager. >> I'd like to speak to two things. Councilmember, with all of our contracts that's an up to amount. So if the consultant does not perform the work they will not get paid for it. So as we continue the process of negotiating with this consultant, if we were to move forward we would make that determination of those milestones and make sure that it's transparent

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to the council and community on exactly what they would get paid for and at what milestones would mark that time period. The other thing that our assistant city manager -- you made a lot of great points on how we can see the benefits of having this work be housed in the department of public health, but I wanted to also reinforce the continued executive oversight over all of the work that we're doing around homelessness, which is the number one priority of this council. So our deputy city manager, we have two assistant city managers, our director of public health meeting on a regular basis with the staff from these various departments to provide that executive leadership. So I didn't want to neglect how critical

it is to still have the city manager's office very engaged on a regular basis on this critical priority for our community. >> Thank you, city manager. So mayor, I would like to make --

[11:36:39 AM]

>> Mayor Adler: Let me give some other people a chance to talk. >> Pool: I was about to make a motion. >> Mayor Adler: I know, but there might be some other people that haven't had a chance to talk yet. I promise we won't push this through without having the opportunity to consider that. Councilmember Casar, you had your light on before. Did you want to speak? >> Casar: I'll wait. >> Mayor Adler: Okay. Councilmember Tovo. >> Tovo: Thank you. First, I appreciate those who came down to speak with us today and the feedback that you provided. And because I've heard from multiple constituents, including those who are here today, I did want to speak to the contract. Having seen -- echo brought in several consultants over the last couple of years and I believe they offered real value to our community of professionals. The strategies they were able to suggest and the analysis that they provided as outside observers, but with lots of familiarities of best practices across the

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city and across the country, I regard as very valuable as we continue to strengthen and really focus in our efforts on how best to end homelessness in this community. So I see this investment as not in lieu of the really important direct services that we need to continue supporting as well as the direct investments we're going to continue to make in housing and in shelter, but I do see that a value enhancer to have that additional expertise come in. Just to offer a couple of examples, those consultants helped look at the situation here in Austin and provided leadership and guidance for -- or at least the guidance that led to our social service and our housing providers doing the pilot program once over the summer, a couple of Summers go and that led to our housing approach at our emergency shelter. I think that's a really important direction for our city to have taken and again that was guided in large part by the conversations

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that those consultants helped lead. Several of us on this dais talked before the hiring of our homeless strategy officer about the deep and broad base of expertise we have in our community on this issue. And that we have here at our city. And so at that time I think several of us spoke up and said we have really great expertise on our staff and I'm just going to underscore that. We have a very talented staff who have been working on these issues and working in collaboration from echo and our other housing and social service providers for years. We have strategies that are innovative, that are in place, that I believe will yield really good results and have already. And so this is not in any way -- again, it's not in

any way an investment in lieu of those direct services. And it's not -- it is not a suggestion that we need to go outside our own community to seek that level of expertise because we don't have it here. I believe this is an

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ecosystem and each one of these parties really plays a role. Those with lived experience, our providers, our city staff, and that occasional assistance from outside consultants. So I'm not concerned and would be possibly concerned if we expected an outside consultant to be here on the ground all the time. I see that as sort of short-term infusions of expertise and best practices and so I appreciate what you said about it being up to 95,000. That perhaps the contract would come in lower. I do want to say I think it's helpful, I'm going to support it today as it's drafted, but it would be helpful when we have contracts of this sort to have a better sense really of what they're doing and especially in an area where they've had a lot of conversation how that particular expertise is intended to kind of work with the ecosystem of professionals who are already working on this issue. But I've been following Matthew Dougherty and his work nationally and I think he will be a good resource here for Austin.

[11:40:50 AM]

>> Mayor Adler: Okay. I spoke to the larger issues and I'm going to speak to the contract issues and then go to councilmember pool. I think bringing in somebody has a consultant who has a vantage point of being able to see what's happening in all 50 streets across the country -- 50 states across the country will be a very valuable thing for us to have. And I know that he has advised our staff in the past in his role at the white house. Again, I feel a sense of urgency and will get that person engaged. Councilmember Flannigan, I hear the concern associated with echo and I believe very strongly in the role of echo in this community. I think a lot of that is federally designated and I think that it's real important we do that. And I don't see this has undercutting that at all,

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but I think it's actually something that may actually facilitate that happening in our community in a way that let's the resources that exist in our community actually align to move forward in the most expeditious and efficient way. So it's a 95,000-dollar contract so I'm comfortable voting for it to be -- to concur with councilmember tovo, I would support it as written as well. Councilmember pool. >> Pool: Thanks, mayor. I don't get a sense that there's support for having the contract come back for execution, so I won't make that amendment. I do ask that staff come and show me the contract right before it gets signed. I would like to have knowledge about what's in it so that when I talk with members of the community I can speak with more authority about it. Councilmember kitchen and I

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went earlier this week to a meeting of the homelessness council and it was a really good experience. And, you know, we pledged to help them in every possibly way we can. If I were to go back there next month to meet with them again and they say, well, you just hired will Dougherty, how is that going to help me? I want to be able to look them in the eye and say, we're looking for him to do ab and C. That's what I want -- that's why I'm asking for this level of transparency and information. So city manager, could I have that, please? Thanks so much. I really appreciate it. >> If I can -- >> Mayor Adler: Is there a motion to approve item number 35? Councilmember harper-madison makes the motion S there. Is there a second? Councilmember Casar. Let's take a vote -- >> Casar: I was waiting to talk until the motion was made. >> Mayor Adler: Sorry. >> Casar: No. I appreciate bringing Mr. Dougherty in. I think it's important to highlight that working with him is just a really small

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fraction of the much, much larger city investment and city commitment. Unceremony justly on consent we moved forward on a lot of nine percent tax credit housing proposals that could support units at a rate that we have not done in this city in just one big step. That is a multi-million-dollar investment that will take hundreds of people to put together, but that can house people permanently in this community who need permanent supportive housing. Folks that are the most vulnerable and have been most chronically on this street deserve that level of care and support and that's something that we did on consent that is a much larger investment than any one or two people that are important in helping us coordinate and think about this, but it's often times the really, really big stuff that we're doing that sometimes goes by on consent and these other pieces that are important for us to

[11:44:53 AM]

discuss and work on. I also want to mention to the folks who have come to share their stories and experiences with us that I think it's -- you have a council here ready to take you up on the offer of continuing to walk on the streets and to speak with people that are not housed and for us to continue to recognize our own -- our own immense privilege of being housed. So thank you for am coulding and pushing us on that work because we still need a lot of pushing if we want to actually have good safe places for folks to go. That are not just the shelter, but good permanent places and homes for people to go to. So thank you for coming and pushing us. And I'm going to keep pushing myself and I think asking the city to push to actually buy the hotel rooms and to build the permanent supportive housing and to do it actually much faster than we ever have before. >> Mayor Adler: Councilmember pool. >> Pool: To be fair, the nine percent tax credits were the city endorsing

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those applications to the state for consideration of award of the money. So -- right? >> Casar: Sure, but then we at housing committee recognized a lot of bond dollars that we would actually have to invest in order to make those projects happen. So those projects only happen through the federal, state and local government all jointly investing. And selecting these sites together. And it would be a really big step on the city's part to land hundreds of permanent supportive housing. >> Pool: It would be amazing if we got every single one of those applications that we -- and that's the largest group of nine percent tax credits that I think I've seen in the five years that I've been on council. So I absolutely agree. The reason why I bring it up is I didn't want a misunderstanding in the community that all of those units will be built. We hope they will be, but it goes through a really long process and we won't know for months what the outcomes of those. So thanks. >> Mayor Adler: Okay. Item number 35 has been moved and seconded. Those in favor please raise your hand. Those opposed? Mr. Flannigan votes no, the

[11:46:54 AM]

others voting aye. It passes. So 35 passes. Thank you all for coming. Item number 50 has five people signed up. Let's do that before lunch if we can. I'm going to call the people signed up to speak on this item number 50. Mr. Pena, do you want to speak on it? >> What number? >> Mayor Adler: 50. >> Tovo: Mayor, while Mr. Pena is coming up, I know Mr. Flannigan pulled 46 as well. I was going suggest a postponement to we could talk about the funding piece and better understand that. I don't know if that's in line with the conversation you wanted to have, but if it is, I would be happy to make a motion right now to postpone until our next agenda just giving us a little opportunity to dive into some of the details. >> Mr. Flannigan? >> Flannigan: Yeah, I wanted to have a little

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conversation with staff today about it before we postpone, but I think I am going to support that. >> Tovo: Support postponing it? >> Flannigan: Yeah. >> Tovo: I have a little bit of a short day -- >> Mayor Adler: Can we table it for after lunch to talk to the manager about that? We'll table it for right now and consider it after lunch. Mr. Pena. >> You said item number 50? >> Mayor Adler: Yes. >> I guess this is an item regarding tasers, body worn cameras. Excuse me. I have medication at a bad time. Anyway, veterans for progress is supporting of item number 50. It's a good expenditure. We just support it, mayor. We talked about it and we're supporting it. And again, you know, I'm going to hold y'all accountable with this gentleman that's coming in. It better not be no more than 95,000 for this homeless issue. To you very much. -- Thank you very much. >> Mayor Adler: Okay.

[11:48:58 AM]

Is Emily garrick here? Emily, Chaz Moore and then Chris Harris.

[11:49:59 AM]

>> Thank you, mayor and councilmembers. My name is Emily garrick. I'm an attorney at the Texas defense project. I wanted to urge you if you're going to improve this contract then it's really vital that body cam footage like this should be made publicly available very promptly after it happens and automatically. Thank you. [Video playing]. >> Get on the ground right now. >> Right now. >> I understand that, but I don't know that and you're all standing around a guy that's shocked. >> Hands out to your side. >> Stay right where you're at. >> Roll on your stomach. Roll on your stomach. Roll over. Roll over. >> Everybody put your hands up on your head.

[11:50:59 AM]

All y'all get your hands on your head. >> Two gunshots to the back. >> Roll over on your stomach. >> Turn over on your stomach or you're going to get it again. >> Stay where you're at. >> Roll over on your stomach. >> It's going to be just south of 12th street on red river. >> Thank you, sir. >> Hey, you say he had a red sweatshirt on? >> Thank you.

[11:52:02 AM]

>> First of all, good morning and this is the first Thursday of February, so happy black history month. I'm not normally here this early, but here we go. I signed up neutral for this because although I think it -- the city could use the money and resources on other things, if this is something that needs to be done, then so be it. All I ask for, and I think I'm in solidarity with Chris and Emily and other colleagues, is that we have the policies in place andcy sured that one, these videos are release understand a timely matter so that the public can see what's going on and released timely. And you can see there was a lot of things the officer was doing to cover up the camera. Again, approving a contract is one thing, that's fine. I know a lot of people will come up here and just worry about the big pie in the sky thing, but we need to worry

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about the details. And that's what we're here for today. Again, so you approve the contract if you want because we do need cameras and things of that nature, but to make sure we have the proper protocol and procedure in place for the uses of the cameras is what's important to me. There's no reason officers, especially in this case where it's a lot of gray area, and I would say gray facts, there's no reason for officers to cover up the camera at all. If they always say that they're doing 100% of the time best job, just let the camera play and let the camera record this footage without any, you know, things blocking the view things of that nature. So I want to just put that on the radar. Approve the contract if you must, but the policy that explains how and when and all that good stuff is probably the most important part. So that's all I've got.

[11:54:04 AM]

>> Ms. Harris you have donated time. Is Gabriella here? >> Morning, council. City manager. Mayor. Thank you so much for the time. My name is Chris Harris, I'm in district 4. So what you just saw, to give you a little perspective, is the video, the body cam video of the Quentin Perkins tasing. This is a tasing that occurred almost two years ago. And subsequently the officers that were involved in that tasing were indicted for among other things assault, falsifying records. And while this video was shown at trial, they were acquitted somehow on these charges, and the video was then sealed by the courts. And so only last week was this video finally made available via public information requests that I had submitted. Again, almost two years after the day. And so chief Manley made a

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good decision to fire these officers. Their appeal is currently outstanding and the arbitrator could come back any day with a ruling to potentially reinstate these officers. And it's bad enough that you can see them clearly use unnecessary, excessive force on a man who is on his knees with his hands up, but what's even worse is that those two officers concocted a story to lie about that. To say that he was on his feet, that he was looking at the creek, that he was about to run and that's why they had to do what I did. Unbeknownst to them is this officer was on the scene with a body camera and caught the whole thing. So through this case we see both the promise and the issues with body cams. It's because this third officer had the body cam that the police chief was able to determine very definitively that the officers had lied in their statements. About it. It's through the body cams that the chief was

[11:56:10 AM]

ultimately able to make the good decision to fire these officers. But the hiding of the body cams from the public is part of why we might in any day now find that these officers are now going to get their jobs back because the accountability, the transparency that we were promised with body cameras has not



been realized. We don't see these videos. Now, we see often videos when they exonerate officers and we often see videos when they show the bravery of officers, but we rarely see videos like this. And the prohibit is that we do not have currently a policy in place as some other cities do that ensures release of particularly critical incidents come out and come out in a timely fashion. Obviously you want to make sure that any potential witnesses aren't swayed by video released too soon, but once you've gotten witness statements there's literally no excuse not to release this body cam footage. So I want to put that out there, that if this body cam contract is going to be improved, that this stay make an affirmative

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statement that we have to see these videos released and released publicly automatic bye-bye the department without having us to go through the lengthy pr processes and they have to be released soon, soon after it happens so that there's real accountability and transparency into what's going on with the department. I also really need to mention that after the acquittal of these officers and the sealing of the video, the Apa said that for the department to investigate these officers further was a witch hunt, which sounds familiar, doesn't it? And clearly that's not the case. Clearly the opo, the internal affairs and the chief, were very, very warranted in investigating this case and ultimately in firing these officers. Both for the act itself and for the lying. What's even worse than that is that the Apa response to this issue was not to attempt to change officer behavior, to ensure that their officers aren't using

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unnecessary and excessive force. It was to counsel all of their membership to watch all of the body cam video before they file reports in the future. There is literally media reports from this time last year when the department announced the investigation with the Apa leadership saying just that, that this is how we should respond to this. Not by changing officer behavior, but by having them be able to more fully concoct their story around the available evidence to ensure that they don't get caught lying in the future. It's wrong. And their participation in matters of criminal justice policy in this city is just -- is dubious and they've lost all credibility. Anyway, I'll end there and just say that I think for many folks in community it's -- it's actually unclear the extent to which body cams are a net positive because of the surveillance,

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because of the issues with transparency that we see with these. [Buzzer sounds] If we're going to have them, though, the only way they even get close is if we get the video in a timely fashion. Thank you very much for the time. >> Mayor adler:thank you. Back up to the dais. We're on item number 50.

Councilmember Casar. >> Casar: I'm happy to speak to -- to two of the main issues that were brought up today, both. Specifically Mr. Perkins and then, second, the body cam release policy issue. So I think we've said it before, and I know we settled the lawsuit with Mr. Perkins, and we mentioned it publicly then. But after having seen the video and understood the facts, while I understand that it is a very stressful situation happening that night for everyone involved, there's no situation that is so stressful that makes what

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happened that night to Mr. Perkins excusable. Inexcusable, what happened. And also I think that chief Manley made the right call as it relates to making sure that the reports that we get are as -- are accurate. And so, again, you know, I think on behalf of manufacture us we have, you know -- do not feel good about what happened and that is in that video. I do think it's important that we had that video, which is why I think it's important that we've made the investment in body cameras and continue to make that investment. Back at the end of 2018, the manager along with our now police oversight officer must get input out of memo to council saying we would have a release policy that would be Progressive and make this investment worthwhile. It's been quite a while since the end of 2018. I understand from the city that sometimes things do take time but I'd ask manager, if we approve this

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contract today, try to get something out by the end of next month. That should be more than enough time to do whatever finishing touches need to be put out there so we can have automatic release in cases that are of real important interest to the public and also in cases where there isn't automatic release for there to be an expeditious process for people to be able to get these videos so when we're investing all of this money to capture the video that it actually provides transparency to the public because I think that that's why this council first moved forward on buying those, and I think our very first, if it wasn't our second budget, but I think it might have been our first budget as a 10-1 council. So manager, if at some point today you could let us know if that's too fast of an expectation to have something out to the community by the end of next month, do let us know, but I think that should hopefully provide us plenty of time. So I think the body cam policy issue is important and then, obviously, there's nothing -- there was no settlement that we could

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make that could undo what it is that happened to Mr. Perkins that night and I think it's important that the community see that and talk about it. So thank you. >> Mayor Adler: Further discussion. Councilmember kitchen. >> Kitchen: Yes, thank you, councilmember Casar. As I mentioned earlier in the

comment I made when I thought it was still going to be on consent, I think it's really important that this policy move forward quickly, and I appreciate the time line that you're suggesting. So I am hopeful that - that that will come back to us quickly and I think it might be useful also to provide us a briefing. We can talk about that when you send this back, but we wanted to have the opportunity to really see that policy and understand from our community how they feel about that policy. So, city manager, would that be -- >> Councilmember, certainly a briefing is reasonable, and I know that we were close in consultation both with A.P.D., community stakeholders and the office

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of police oversight. I'm confirming to manage expectations. I believe that the end of next month seems reasonable so at this point in time I'm comfortable saying that would be the path forward. >> Kitchen: Thank you. >> Mayor Adler: With that said my sense is, we're getting close to citizen communication, I don't know if we're going to take a long time to discuss this but my sense is there's a will to have this move forward so we invest the money. But that we expect the accountability section to follow quickly. Let's see how long we think this is going to take. Yes, mayor pro tem. >> Garza: If the policy will be here in a month -- and I'm sorry if I missed staff -- if staff said anything because I had to step out for a little bit, but why can't we just wait to vote on this for another month? Did staff give some time pressing concern?

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And as context, I remember when we had -- gosh, I don't remember, was it 2018? And there was considerable community input into the exact same concerns that are being voiced today, but wanting to have the additional transparency that these cameras provide. It seems like we're having the same conversation, and I don't know if it's because of Idc stuff that we -- this didn't pop up earlier than it should have because it's an important conversation, especially after a report about significant racial disparities happening in our police department. And so if this can wait until the policy comes out, I would prefer that. >> Rey arrelano, assistant city manager over the safety outcome. The pricing that's associated with this particular proposed procurement is only good

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through February 14. Should we delay this beyond that, then there will be -- we estimate a \$9 million difference in order to do the procurement. The particular procurements of note that is bundled in this particular -- in this proposed agreement is regarding the tasers, which expired in January? >> January. >> In January. So we're shift to go a new system for the tasers, which are more advanced in terms of the capabilities they have, as well as being able with the new cameras to be able to meet some of the

requirements that we're committing to with -- under strategic direction 2023. >> Garza: So what creates the \$9 million hike? >> Well, the quote that we have from the vendor expires on the 14th. There's a new pricing model

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that came out for 2020. We've been working on this contract amendment for -- since September 2019. So due to the timing, we weren't able to take this to council until now. The vendor is going to honor the quote that we have that will expire on the 14th and after that we'd have to go back to negotiate with the vendor to bring a contract that would be under new 2020 pricing. >> Garza: And I guess knowing -- knowing the discussions we've had about this and it's the same concerns we heard two years ago, why -- what is the delay in the policy? >> If I may, so [indiscernible] As well as the chief have been working on the policy, but as well the release of the information which is -- uses

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the L.A., Los Angeles, process that's similar to that, in terms of releasing information regarding critical incidents. The policy is pretty much done. However, there's work to be done and is -- is progressing in terms of piloting what an incident might look like, and we've been getting input from the community as well as to what this might be. So it's my understanding, I'm just getting a text update from the police oversight, that a pilot film is being produced. We should be able to get a look at that this coming month or so, and then we'll be able to see where we're at in terms of rolling out the entire process. >> Garza: Okay. Last question before -- did this go before the public safety commission? >> No, it has not. >> Garza: Okay. >> Mayor Adler: Okay. Councilmember alter? >> Alter: Just for my colleagues, if you're interested in the subject, I

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want to remind you we did have a discussion of body cameras in public and finance and there were other issues that were highlighted, particularly we looked at whether supervisors were looking at the videos in a timely manner, and there were steps that need to be taken in response to that audit. So I just wanted to flag that for folks. It is -- you know, from what I understood from the backup and from what Mr. Arellano and police officers have said, you know, there's a significant increase in the cost for delaying and -- I'm not -- I agree on the accountability issues. I'm trying to understand how that's tied into the contract, per se. I think that's a broader policy issue as opposed to in the substance of the contract. And I think we do need to improve our policy, but I'm not sure that we should let -- we all agree we need the cameras, and so I think

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we should be moving forward, unless I can be shown that there's a need for that policy change to happen before we move forward with the contract. >> Mayor Adler: Councilmember pool. >> Pool: Yeah, I think it would be really important for -- >> Mayor Adler: It's not on. >> Pool: I can't hear myself, and so I guess nobody else could if I didn't have the mic on. I think it would be really important for this to go in front of the public safety commission. It feels like a bit of an oversight. >> Mayor Adler: Say it again. They couldn't hear you down there. >> Pool: I should just tell everybody both my ears are stuffed up. I literally can't hear. Antibiotics are on the way, so I apologize. But, yes. I'm afraid I'm talking too loud but evidently I'm not talking loud enough. Thanks. >> Mayor Adler: I think it's really important that we nail all the policy issues associated with this, and I appreciate that there's now

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a more definitive time put on this, and I think you see the desire. I think it has to address the issues that were raised in the audit and finance committee, as well, which were more logistical and practical uses. But under any scenario, I also think we need the cameras and the accountability so we have the ability to have the videos like ones we just saw so I'm going to support this contract moving forward. But it's real important that these other issues get dealt with now as well. Further conversation on the dais? Councilmember Casar. >> Casar: Mayor, I would rather not spend extra resources on this, but also would rather not see continued delays, as the mayor pro tem pointed out this has been something that I thought we would have done nearly a year ago. So, manager, could -- is it -- are you able now to tell us whether this is something we could get done by the end of next month or is that maybe something you

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can bring back to us later in the day? >> Absolutely. I'm hearing the will of the dais and making sure we're adhering to the commitments that we have from the community to move forward expeditiously on this. It sounds generally that we're on track to meet that deadline. Obviously, if anything changes I'll report back to council as soon as I hear that, but without having heard directly from the chief and the office of police oversight I want to say definitively but absolutely I want to make that commitment to you that we have a shared goal of getting this policy done by the end of next month. >> Mayor Adler: Okay. Is there a motion to approve item number 50? Councilmember Renteria makes a motion. Is there a second? Councilmember Flannigan seconds it. Any further discussion on 50? Let's take a vote. Councilmember harper-madison. >> Harper-madison: I'd like to echo the sentiment of most of my colleagues at this point. Thank you, councilmember kitchen, for bringing it up. I think as brought up by one of my colleagues who

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mentioned this hadn't gone before the public safety commission is problematic to say the least. And I'm no great lover of task forces in general, but I do think this would be a great opportunity for the public safety commission to weigh in on that transparency policy and we have -- like Mr. Moore pointed out have really specific delineated protocol, practice, if this, then what, that we could disseminate to the community at large. Thank you. >> Mayor Adler: Okay. Item 50 has been moved and seconded. Those in favor please raise your hand. Those opposed. Mayor pro tem voting no, others voting aye. This matter passes. Thank you. Colleagues, before we go into citizen communication there was someone that had signed up to speak on item number 22. This is something we passed on consent. I'm going to give her a chance to come introduce herself and speak and then we'll go to citizens

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communication. >> Thank you so much for still giving me the opportunity to speak. I signed up at 930 this morning. My name is Melinda Shira, I live in district 4. I'm speaking on item number 22. The current president of the north Austin civic association and have served on the contact team, have been very active for the past nine years. I just realized that this was before council yesterday and just have a lot of questions. I started to look into all of the previous properties that this developer has developed and is currently in operations. I looked at the target market, the number of affordable units, and things such as reviews and location. My concern is that this affordable housing is 120 units in a crime area and off of Rutland in the rundberg area, very close to

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the north gate area, which has the highest amount of violent crime in the city of Austin. One review here does have a complaint about drug dealers, and I am very concerned about crime and safety in the rundberg area. Here the location you can see 1934 Rutland drive, and the box shows the location of north gate. This is just zoomed in a little bit. The soccer stadium will be to the west of this location. Just hate to point out news because I don't think that that's statistical, but I just -- if you don't know, north gate is the highest -- has the highest amount of violent crime. These are known open air drug markets in the rundberg area. There is drug dealing and

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prostitution. Including the north gate area. This is the location -- the proposed location, which is -- has already passed. Those open air drug markets are typically next to convenience stores, and here we have -- and liquor stores. And the two stars here show that convenience stores and my concern. Rita's Mexican restaurant currently has indoor illegal prostitution, but there are also some good things about this shopping center. There are two small bakeries in this shopping center. I am missing one slide. Just behind this property is a property that's two to three times the size of this property and it has 156 units of apartments. And the proposed amount of affordable housing for this

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location is 120 units. [Buzzer sounding] I just want to make sure that we're looking into all of the facts before we approve these type of housing credits. Thank you so much. >> Mayor Adler: All right. Thank you. >> Tovo: Can I ask -- mayor, can I ask the speaker to please just post -- you had some recommendations for on-site management and some other things. >> Yes, definitely. >> Tovo: Would you mind showing us very quickly because we need to move on to citizens communication, but would you mind showing us that slide so we can see some of the recommendations that you have for that. >> Thank you so much because I really wanted to point that out. When I was looking at these properties, the properties that had great reviews had on-site property management. And I know that caritas of Austin is a great entity. I don't know enough. I'm meeting with them tomorrow. And I'm really looking forward to working with them. But I want to make sure that the city of Austin is aware of this as well. These -- a lot of these properties had negative reviews depending on the

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property management. >> Tovo: It was actually the last slide that I had asked. >> Okay. >> Tovo: -- To see. >> Thank you. So what I'm asking you to look at is making sure there's on-site property management, making sure 120 units are appropriate for this supporting A.P.D. Efforts in the rundberg area and advocating for an additional grocery store as well because it does note ate in the application that there is not access to healthy foods. >> Tovo: Thanks very much. I'm glad to hear you're meeting tomorrow with caritas. They've met with some of the council offices, including mine, and have what I would regard as a really strong plan for solid property management. So I look forward to seeing the outcome of that. Hopefully they're able to work -- you know, I anticipate that they'll work really closely with the community to make sure it's -- everyone has good communication. >> Okay. >> Tovo: Thanks. >> Thank you.

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>> Mayor Adler: Thank you very much. >> Thank you. >> Mayor Adler: Colleagues, let's go to citizen communication. Is Paul Robbins here? On deck is Christopher Vasquez. >> Mayor, look forward to your voice coming back from Iowa. >> Mayor Adler: It's been delayed. >> Council, I'm asking you to put a surcharge on the gas bill to fund renewable energy research to replace natural gas in the upcoming rate case. In 2018, total carbon emissions in Austin from Texas gas service total sales amounted to 5.2 million metric tons. This is equal to 21% of Austin energy's carbon

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emissions in the same year. Unlike Austin energy, though, which has a plan to diminish carbon emissions, Texas gas service has none. There are two possible alternatives to defray large amounts of natural gas use renewably, direct heat from the sun for industrial purposes, such as cement and metal production, and the manufacturer of renewable hydrocarbons. This is where hydrogen, a main constituent of natural gas, is derived directly from solar energy, which can split hydrogen from water. The hydrogen can either be used directly or combined with carbon to make methane and liquid fuel. The technology to turn hydrogen into other fuels is nearly a century old. The ability to make hydrogen

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with solar energy is fairly recent. This is the direction a sustainable gas utility needs to take. These inventions are in research and development right now. But it's if society does not invest in the future, the future will never happen. If Austin placed a small surcharge on all the gas sold and Austin energy matched it, this would be a precedent that other climate action cities, states, and utilities could follow. And if they joined this larger amount of money could be channeled into credible research laboratories and some of these technologies for renewable hydrocarbons and fossil fuel substitution might eventually be commercialized. This seemingly small amount of money and effort could eventually influence the

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entire world to reduce and eventually limit carbon emissions and it would not cost ratepayers any large amount of money. Council, the federal government is not doing its job. [ Buzzer sounding ] To alleviate the climate crisis, Progressive local governments are going to need to lead the way. >> Mayor Adler: Thank you. Yes, councilmember alter. >> Alter: Mr. Robbins, I want you to know they've a resolution that should be hopefully posting on Friday for the next council meeting related to Texas gas and environmental issues. >> I will be there. Thank you. >> Mayor Adler: The next speaker we have is Christopher Vasquez. Why don't you come on down. On deck is Melvin Wrenn. Go ahead, sir. You have



three minutes. >> Hello. My name is Christopher Vasquez. And I'm here today to talk to y'all about private security. The reason I'm here to talk

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to y'all about private security as we can clearly see from this meeting that A.P.D. Is having a lot of pressure put on them. What I did in the summer is I started a small private security company and right now we are focusing on putting security guards in bars across the city. We have some bars on 36th, some on west, some online fourth street very near the capital, pretty famous places, and I would like to ask the city for help. I think the city and A.P.D. Has a responsibility to the community and to the citizens to protect them at bars, and I currently believe there is no protection on the bar scene in Austin, which is a large tourist attraction. I myself have personally intervened while working where I saw someone get their head cracked open by a bat outside a bar on sixth street. It is unacceptable, and A.P.D. Needs help, and I

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think there are ways where we can subsidize businesses, especially bars, by giving them tax breaks or incentivize to hire private security guards while we quip A.P.D. With body cams, give them the tools and training they need for a new age. I also believe that doing so we can cut taxes by privatizing sixth street, by making a private company come in and block off the road. I think that can get a lot of police off sixth street and areas such as north gate as the previous speaker was talking about. There is no reason the city should be spending tens of thousands of dollars on A.P.D. When we can get a private force down there and create the same safe environment. A lot of the bars I work for appreciate our effort because A.P.D. Responds two, five, ten minutes. We're there to handle the problems immediately.

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Thank you so much. Sorry this is my first time doing something like this. I appreciate y'all taking the time to listen to me. And I will be reaching out to y'all individually and trying to talk more and get this ball rolling because it's just -- the private security industry is one of the oldest industries known to man when we really need to revamp it, reform it. There needs to be a lot of the change. The days of the mall cop are over, we need higher paid, higher trained workers out there, which will also bring jobs. It's not lucrative like Amazon or big tech company but I think we can bring huns of jobs in the industry that will help middle class America as well. Appreciate your time. >> Mayor Adler: Thank you. Mr. Wrenn. After Mr. Wrenn, Jay

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blazek-crossley. >> Good afternoon. My name is Melvin Wrenn. I'm -- I've been involved in community for a long time. At some -- but I want to go ahead and I've passed out a couple different things that I know councilmembers don't have enough to read, but I wanted to pass it out anyway. And I'm going to focus on one size does not fit all, but I passed out [indiscernible] I wanted the mayor to have a document that he could look at and recognize that when you go east it's less than equal. I would like you to think in terms of focusing on east Austin but focus on north -- manor road being north and seventh street, and go all the way out to 183 and then you can extend up to 290 out to 973. The reason why I want you to focus on that is that the proposed land development

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code does not address the historical segregation related to east Austin. Especially that area. In the history of east Austin, there's an oversaturation of low-income housing. We say affordable housing, we should say low-income housing tax-credit property, meaning the people are either 60% or below or if you're doing a 9% bond that would mean they could actually be zero income. So when we say affordable housing, we should be saying affordable apartments, not houses, not housing. So that's one of the things to consider. But low-income housing complexes that are now called affordable are saturated in district 1, 2, and 3. And have the highest concentration there. From the 1960s through the 1990s, the greater Austin chamber of commerce worked in conjunction with the city of Austin using maps that did not have locations in the central area that I spoke of in east Austin.

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As a result you do not have job centers and a concentration of the council is not going back and undoing these segregation effects we have with the number -- we're the number 1 city in terms of economic segregation, we're the number 1 city in terms of net loss as it relates to African-Americans. And since we are not addressing that as council and not having situations where each month council should have reports, what are we doing in those specific areas? How are we addressing those particular issues? How are we addressing net loss? When you approve the budget for the different chambers of commerce, I think the African-American chamber got 170 something thousand dollars and I'm saying to someone, if you have a problem and African-Americans are leaving Austin, how come they didn't get as much as the greater Austin chamber of commerce that never concentrates on east Austin? I think when you look at the greater Austin chamber of commerce they have two prongs, one is the chamber and one is the economic development corporation and to me I can't understand it. They've never promoted east

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Austin. They did not promote the areas that I spoke of. Then why is it that they're getting most of the money? [Buzzer sounding] So I provide you with the documents and I leave you with this, need to double the budget of neighborhood housing, need to place \$10 million into a fund related to displacement, and you need to create a process whereby you can look at what is going -- taking place in east Austin. We have colony park, it's been since 2014 they still [indiscernible] Doesn't have a contract. Think about it. If we're really serious about the eastern crescent we would make it possible for that contract to be on the dais and everybody could vote on it. I appreciate the time. I appreciate what you do. And I'm hoping that we will take into consideration history first before we make policy. So if you have any questions and I hope the documents are there, and I can make sure that my email or phone numbers are available if you have any other additional questions. Thank you for your time. >> Mayor Adler: Thank you,

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Mr. Wrenn. Your email is on the documents you handed out. Thank you. Mr. Crossley. On deck is Kathy sokolic. >> Hello, mayor, councilmembers. Thank you very much for all you do for all the people of Austin and for this time. My name is Jay blazek-crossley. I live in d4 with my wife and 5-year-old who just started kindergarten. And I am executive director of a 501(c)(3) Called farm and city, we work across the state. Our biggest project is vision zero Texas, working to end traffic deaths across the whole state. We continue to be in an epidemic of traffic violence. Early in what I believe is a paradigm shift happening across the state, you, the city of Austin, took a leadership role and adopted a goal toned traffic deaths by 2025, develop an action plan and have been backing that up and progressively building the program to address this issue. I think city staff have done remarkable work and because of this work you guys have

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better data and understanding of the issues and what we could do about it than probably any other government in our state. But, unfortunately, people are still being hurt. A lot. In 2019 more families lost a loved one than the year before. And January was a terrible month on our streets. So I'm here today with vision zero Texas but also you'll hear from Kathy with central Texas for safe streets. This is an issue that hits across our city and we work with organizations and volunteers. We have walk Austin, downtown Austin neighborhood alliance association and many other organizations all working together on vision zero atx. We ask request you guys take it to the next level this year. We need to get back on track to zero this year, and I believe that you are ready and there are actions you can take. And staff has prepared us

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for this. A key is that part of vision zero is using data and having high levels of all your departments working together to end this crisis. And so our list of things we think you should do isn't the only list. We want staff to lead and to -- use proven counter measures and solve this problem. However, we believe there are five things you could focus on. First is budgets. Our budgets need to match our priorities. And that's both in this year's budget and in a vote this November. We believe it should be a safe multimodal package for the people of Austin, and I've put together a list of how I think your staff is ready to do a large vision zero segment of that. The speed management, the program staff has presented -- you guys are working on -- is excellent but we need to move forward and there's going to be difficult decisions. And people are used to our dangerous system and they think it's normal. And we are sort of immune to traffic violence. So it's going to be hard so

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we need your leadership to get us to the other side, offend -- to get us to a safe city. This is a public health problem and we believe the public health department and police department can work together with atd better to treat this as a public health threat and to target enforcement to where we know people are being hurt and killed. [Buzzer sounding] The last few things is we need rapid action. We need to see things in every neighborhood. We need things on the street. We need paint. We need whatever you can do, and we need you to make these hard choices on egregious things such as requiring parking at bars. We need to change these things and do things differently. >> Mayor Adler: Thank you. >> Thank you very much. >> Mayor Adler: Thank you. Kathy sokolic and then the last speaker we have is Carl Langner is on deck. Go ahead. You have three minutes. >> Hi, my name is Kathy sokolic. I live in district 9, serve on the Miller commission and am chair of Texas central

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families for safe streets. I live in one of the most dense and wonderful neighborhoods in Austin. I'm a little biased though. We have sidewalks and cycle tracks everywhere and all sorts of walkable and bikable. My nephew was hit in front of his home by a truck and left incapacitated. He's bedridden and will always require 24 hour care. Ben's crash was prevent. In 2018 the city took very important steps toward vision zero or zero traffic deaths on our roads, hiring an amazing team of staff to focus on changing our streets for the better. So many good things are happening because of the shift in the mind-set guided by data and information but it's not enough. I don't even know how many people died on Austin roads in January but I know we are not on track to get to zero by 2025. We are trending in the wrong direction. After Ben was hurt I got engaged in the vision zero movement, eventually becoming cofounder and chair of central Texas families

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for safe streets. We're a peer to peer network of family members affected by traffic violence and we strive to provide a safe place to grief and provide resources to families and advocate for change. I'm the chair of a really terrible club. I reach out to families in their darkest hour. It's really sick, and I shouldn't have to do this. And I don't want any more members in our club. And I think y'all can lead the next phase of change across our city, our region, and our state. Your staff have developed a powerful understanding of what can be done to make our streets safe for everyone. The families of central Texas families for safe streets are asking you to move forward powerfully this year and get us back on track to end traffic deaths and serious injuries by 2025. I believe this can be done, and I believe you can do it. Every life lost is a family and every family is a part of this community. Last year 89 families lost someone and that doesn't even include those injured like my nephew. My parents are with me here today. You can grab them.

[12:35:49 PM]

And ask them how they've changed since the crash. It's not insignificant. I know in Texas and no one wants to be told what to do but it's time everyone in the city takes a look in the mirror and asks themselves hard questions, ask yourself how often you speed or how often you're holding your phone while driving? It won't happen to me, you say, I'm so good at texting and driving. I only had two drinks. So you know what? You're that person. You cause a crash and impact a family for the rest of their lives. Or your life. Help us help ourselves. Slow us down. Enforce the hands-free ordinance. Change the way our roads are designed and give us better transit. Make us denser so we don't have to get in our cars all the time. Please make these hard decisions and please keep us safe. Thank you so much. >> Mayor Adler: Thank you. >> Harper-madison: Mayor, may I? >> Mayor Adler: Yes. >> Harper-madison: Thank you for your testimony. There's probably a lot of us in the room, but I myself am

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part that have really terrible club. My sisters were hit by a drunk driver when they were 15 years old and now I have a 37-year-old sister who is forever incapacitated so I just want to say it's a really terrible club, and thank you for reminding us all about personal accountability. Also, thank you for your service and for putting yourself out there. I know it's not easy, but it's so necessary. So just want to say thank you very much. >> Thank you. >> Mayor Adler: Thank you. Carl Langner. It's our last speaker. Mr. Langner here? No. All right. With that it is 12:37. We'll stand in recess. We can come back at -- >> Kitchen: Are we going to into executive session? >> Mayor Adler: We're going to go into executive session now. We'll be back -- there are two things I think we're going to take, there's the zoning case and the flooding

[12:37:51 PM]

variance. And I think those are probably the only thing that may take a considerable period of time so we should be done today. Was there a prom magazine --proclamation change you wanted to note? >> Harper-madison: Thank you. I appreciate that. Give me just a moment. So this evening's proclamation on the agenda, we have it as the central Texas African-American family support conference day proclamation, which is happening, but that's the next council meeting. This evening we have the distinct opportunity to celebrate somebody we all know and love, the fierce Ms. Barbera Scott will be receiving a proclamation this evening. >> Mayor Adler: Yes, councilmember alter. >> Alter: And we also have two proclamations that were not on the agenda. One is for gun violence survivors week and other for central Texas discover engineering and engineers week so I invite folks to stay for those. >> Mayor Adler: Yes. >> Pool: I'll jump in and

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say I'm really excited Albert and gauge are coming this evening to provide music and we will be recognizing Christine Albert for her work with the project called swan songs, which is musicians coming at requested to the bedsides of folks who are passing and to help ease them into that transition. So Albert and gage will provide the music and we'll thank Christine for her project called swan songs. >> Mayor Adler: Mayor pro tem. >> Garza: I keep up with the agenda with the speaker list, and why are we not finishing some of the things we can finish now? Is there -- >> Mayor Adler: We could. It's just 12:40 and we have executive session. >> Garza: We can't come back until 2:00? There's no speakers on a lot of these. I'm just wondering -- >> Mayor Adler: We could stay. I just thought -- we could do it now or come back at 2:00. Are there things you want us to take care of while you're here? I understand -- >> Tovo: I do need to leave early so long if there's --

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again, I don't know how lengthy our conversation would be about -- is it 46, the item I pulled that councilmember Flannigan pulled as well if, we had an opportunity to knock that one out, that would be great. >> Mayor Adler: You wanted to check on that. >> Tovo: If not I'll share my comments with one of my colleagues and you can raise them. >> Mayor Adler: Can you come come -- 1:45. >> Mayor Adler: We'll do that right at 2:00. We don't have a lot of speakers. We'll be able to blow through a lot of stuff. City council is now going into closed session to take up one item pursuant to 551.771 of the legal code, item 65, without objection we will now go into executive session at 12:40. And we will come back here

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test test test. Test test. [Executive session]

[2:21:28 PM]

>> Mayor Adler: It might have been a trick, but I thought I saw six people just a second ago. Ahh, and I did. It is 2:21 and we're going to reconvene. So we're out of closed session N closed session we discussed legal matters related to item 65. It is 2:21. We're back. We had item number 46 that was on this morning. Is Angela Garza here? Do you want to talk to us about 46? >> Hello, mayor and city leaders. It's actually -- it's item 46, but it's a few items because I seem to see a pattern here because I'm becoming a women owned business and I'm doing a lot of work to get that done. But I see a pattern here where many of these items

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are not including subcontracting opportunities for our WBE and minority owned businesses. I think that's kind of a problem we're doing all this work to become WBE certified and -- women owned business, if we are going to do all this work why do they have on block on these items where we don't have subcontracting opportunities and actual numbers to be a part of the process as well. I don't know if you are noticing this, it's 47, 46, the same thing, the procurement was reviewed and for subcontracting opportunities in accordance with city code chapter 29c women and minority owned business, for the service required for this procurement, you are seeing it down the line. And I can tell you from myself personally, it is a lot of work to become women owned business. You want to make sure you are doing everything in

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order. But we need to make sure these doors are opened as well, these opportunities. I just don't understand, I know I was speaking with a few people, I speak with developers all the time and understanding why there would be such a block from subcontract opportunities and all these million dollar opportunities. So this is why I'm here. And just to say thank you as well for everything you are doing, but we're trying to change and work with the progress. When you see a block like this and we're going to do all this work we need to make sure this block is open. >> Mayor Adler: We had talked about having audit and finance committee getting a regular reporting from that group, and I know we had had one meeting of that where they came and reported to us. I think with the expectation that it would be

something that was happening regularly and I think we had talked like quarterly. Can you, madame chair, check and see where that might be?

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And it might be another time to raise that question of if we can measure how we're doing as we do contracts, how many of them are in fact able to be opened and the like so we can monitor our success. >> We'll be happy to. I will note that we did have a couple of Austin water contracts on the last agenda that had very high level of women and minority owned participation at the prime level, which I was noting was something that was relatively new for us to be seeing. >> Mayor Adler: Yeah, councilmember Flannigan. >> Flannigan: There is a commission for mwbe, not a council committee besides audit and finance, but I'm also talking to my appointee to that commission and my appointees on some of the other commissions that have expressed similar concerns. And working towards some ideas around some more specific reporting that can get us to that conclusion.

[2:25:34 PM]

>> Thank you. >> Mayor Adler: And that would be great. I think it needs -- a regular kind of checking in just to be able to monitor how we're doing relative to our goals I think would be helpful. I think we told the broader community we would have that elevation to council on a regular basis. So thank you very much. I understand at a break there's a motion to postpone item 46. Is that correct? >> Tovo: I'd like to make that motion and with a request staff provide us with additional information between now and then about the piece of the contract that applies to the departments other than the convention center. So if you could provide through your rca some information about what the projects would be for those other departments as well as what the funding source would be. Thanks very much for your willingness to entertain that. >> Mayor Adler: Postponed to come back up in two weeks with additional information. Councilmember Flannigan

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seconds. Any discussion? Mr. Flannigan. >> Flannigan: Thank you, councilmember tovo, because I had the same conversation with staff to figure out the component to better understand what it is we're doing. >> Mayor Adler: Those in favor raise your hand. Those opposed? This item is postponed two weeks. Let's do the consent agenda. And then we will go back into our agenda with the eminent domain action. >> Mayor and council, Jerry rusthoven, planning and zoning. First item item 66, I was going to offer this for consent approval on third reading. I did notice there were four speakers signed up, two of them are the applicant and I do not believe they wish to speak unless needed. There were two other speakers, I don't know if they are in the chambers or not. I did not see them earlier.



[2:27:37 PM]

>> Mayor Adler: What number? >> 66 and 67. >> Mayor Adler: Any speakers here to speak on 66 and 67 industrial? >> Harper-madison: I did see Mr. Cantu in the atrium. >> We were going to offer bet for consent, but I did notice those two individuals signed up to speak. >> Mayor Adler: At this point we're going to pull it because they've signed up. >> Item 66 discussion, item 67, discussion. Item 68, this case I can offer for consent approval on second and third reading. Item 69, c14-2019-0142, I can offer this for consent on second and third reading.

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Item 70, consent approval. Item 71, consent approval on second and third reading. For those cases which the public hearing is open, item 72, this is a postponement request by the applicant to March 26. Item number 73, this is a postponement request by the staff also to March 26. Item 74, c14-2019-0003, this is a postponement request by staff to March 12. Item 75, c14-85-288.8, rca, a postponement request to March 12. Item 76, npa-2019-003.01, postponement to March 26. Item 77, this case I can offer for consent approval on first reading only.

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The applicant and neighborhood are continuing to work on a restrictive covenant and staff is still working on a zoning ordinance and restrictive covenant to go with neighborhood traffic analysis. >> Kitchen: Mayor, on this item for consent, I just point to my colleagues in backup is a listing of the conditions they've agreed to so far in the two they are working on. Just very quickly, if I might read those. They have agreed to limit the site use to residential cultural services, community recreation or a park. They have agreed to adoption of the sf-6 zoning standards. They have agreed to limit the number of units to 302. They've agreed to funding related to construction of a sidewalk. They are -- have agreed in principle in treatment of street connecting billbrook and David you're moo, working on the details still. Number 6, their outstanding

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item has to do with treatment of intersection of billbrook and slaughter. There's more detail in the backup if anyone wants to look at that. >> Mayor Adler: Continue on. >> Item 78, c14-71-278, I can offer this for consent approval. 79 -- >> Mayor Adler: All three readings? >> No, it doesn't need three

readings. Item 79, this will be a discussion item. Item 80, a postponement request by the applicant to March 12. Item 81, this is a postponement request by staff to March 26. And that is all the items. >> Mayor Adler: Okay. Thank you. So it looks to me the consent agenda is items 66 through 81, and the items pulled at this point are 66, 67 by speakers, and 79.

[2:31:48 PM]

Councilmember Renteria. >> Renteria: I think there's a mistake on item 68. It's saying that it's district 3. But actually I don't have west lake. >> Alter: It's on the changes and corrections. >> Renteria: Oh, okay. >> Alter: As we're talking about 68, I want to confirm that's for second and third reading. >> Mayor Adler: That's what was called. >> Kitchen: Mayor? >> Mayor Adler: Yes. >> Kitchen: I just wanted to confirm 77, the public hearing is still open, right? >> Mayor Adler: Yes. >> If you make that part of the motion for consent. >> Kitchen: Yes, public hearing still open. >> Mayor Adler: Public hearing kept open. Is there a motion to approve the consent agenda, items 66 through 81, keeping the public hearing open on 77 and pulling from that 66, 67, and 79. Yes. Motion by councilmember pool. Seconded by councilmember Flannigan. Discussion? Councilmember Flannigan. >> Flannigan: Be shown voting no on item 71.

[2:32:49 PM]

Far too complicated a co on that item. And for clarity, I don't think we can close public hearings anyway even if we wanted to because of the new state law. >> Mayor Adler: Okay. So noted. Those in favor of the consent agenda raise your hand. Those opposed? Unanimous on the dais with councilmember Casar off. We'll come back to the pulled items. Let's go ahead and then handle the eminent domain item, which is item number 58. With respect to 58, is there a motion city of Austin authorizes use of the power of eminent domain to acquire the property set forth and described in the agenda for the current meeting for the public uses described therein. I need a motion. Councilmember Casar makes a motion. Second? Councilmember harper-madison seconds. Any discussion in all in

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favor say aye? Those opposed? Unanimous on the dais. I have two tif Zones. Do I recess the city council meeting and convene the tif board? Let's recess the city council meeting here at 2:33.

*[See separate transcript for Tax Increment Finance Zone #15 meeting text]*

*[See separate transcript for Tax Increment Finance Zone #18 meeting text]*

At 2:35, I reconvene the city council meeting on February 6th still in the city council chamber. We had a pud briefing, 61, but it's withdrawn. That gets us then to public hearing on the flood plain variance, item number 62. I think when we take care of this item -- I think we only have three items left, the flood plain variance and then the two, which is really three, zoning cases.

[2:36:51 PM]

>> Thank you, Mr. Mayor, mayor pro tem around council, I'm Kevin Shuck from the flood plain from the watershed protection department and I do have a presentation coming up right here. If the item before you is a flood plain variance request at 13108 Travis view in lake Travis watershed. Here's a view of the lake, obviously. This is less than a mile upstream from Mansfield dam. You can see the property highlighted on the right side of the page. The light blue color is the 100-year flood plain of lake Travis. Zoom in a little more, almost all of the property is within that 100-year flood plain. The front part of the property is not in the 100-year flood plain. We're talking about the flood plain from lake Travis, it's not a stream, not like -- this is lake Travis. When we look back at the

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flood plain regulations approved in November when we talked about revising flood plain definitions, remember it did not revise the definition of the 100-year flood plain on the river itself. So this flood plain did not change from the previous regulations to the regulations today. Like I said, the front part of the lot is not in the 100-year flood plain, it's about eight feet elevated above the 100-year flood plain so there's a lot of slope on this lot from front to back. The finish floor of the existing house is about half a foot below the 100-year flood plain elevation. And as far as safe access is concerned, the maximum depth to get to the front part of the lot is about one foot. There's an existing house on the site right now, about a 2600 square foot single-family house, built in 1968. At the time it was built, it was built in compliance with the flood plain rules. This property in its

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entirety, almost entirety, was not shown to be in the FEMA flood plain until 2008. That's when the major change of lake Travis from 716 to 722 elevation, that was the major change with that flood plain map and that's when the building itself was brought into the flood plain. The development that we're talking about was a -- it originated from some structural issues that the owner was having with the roof at the porch. They then decided to even close that front porch entirely so it's entirely within the house itself. It

used to be a porch, a 365 square foot porch, they want to get now to be part of the conditioned area of the actual house itself. That addition increases the size of the living room and a master bedroom. It does not create a new bedroom, it does not -- while it does create more space, it does not create more

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bedrooms within the house itself. The finish floor of the addition is going to be at the same elevation as the finished floor of the existing house, about half a foot below the 100-year flood plain elevation. This development actually started without a permit and so when we're talking to the applicant about working without a permit, we talk about, well, whether a permanent is required and a lot of it has to do with jurisdiction. And I can understand there being some confusion about the jurisdiction in this area. And there are some confusion with the owner and their contractor about whether there was a permit required from the city of Austin. So this map shows the full purpose section in green, that's basically the original creek line of the Colorado river. This property highlighted there is in limited purpose jurisdiction. Right next to this property the neighborhood -- literally right next to it

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is in 2 two-mile etj. If someone is in the two-mile etj, they are not required to get permit from the city of Austin. If they are in limited purpose they are required to. There's a patch work of jurisdictions within this area. The variance request is to -- is to increase the nonconformity of the existing building. The buildings was not conform because it's a half foot below the flood plain and does not meet the safe access rule. They are wanting to expand the conditioned area, increasing the nonconformity of the existing building. That requirement is that the finished floor be elevated at the time of this application one foot above the 100-year flood plain. So that's 1.6 feet above where it is now. They are wanting the finished floor of the addition to match the house, therefore they are wanting a variance from the finished

[2:41:57 PM]

floor section. We talked about safe access. They say safe access from the front of the house is 1.1 feet deep to the front of the lot that's eight feet above the 100-year flood plain. The summary of findings that we have for you today are that the development itself does not cause any excess flooding on the property. There is no increase in the foundation of this house at all. They are just closing in the rear porch, the existing rear porch of the house. This variance request is a variance from the city regulations, not to the FEMA minimum standards. The reason I bring that up is because every five years or so we get our FEMA -- flood plain program audited by FEMA. During that audit we have to justify all the flood plain

variances we've done during that five-year period. It's much more challenging to justify variance to the FEMA minimum standards as opposed to just the city rules.

[2:42:58 PM]

By the FEMA minimum standards, because the development was not a substantial improvement with the minimum standards, it could be approved. But Austin's ordinance that goes above and beyond the minimum standards, it's a variance to that rule. We talk about safe access requirement that the building is not -- does not satisfy that. We did we did have staff put putting in a recommendation of denial on there and that's based on if the applicant had come to the city and requested the zoning permit that was enclosing an area that was below the floodplain, staff would not have been able to approve that. We would have denied the application. So it's more so looking at what we would have said if they would have come from the permit as opposed to the severity of the ordinance. As we've talked about, I wouldn't even say it's a minor addition to the house, it's a non-substantial improvement, however, it is -- it is creating a

[2:43:59 PM]

finished -- it is creating conditioned space that is .68 below the 100 year floodplain. There is a draft ordinance in your packet and one of the conditions on that ordinance is that they grant a drainage easement to the city of Austin all within the 100 year floodplain save and except the house itself, so that's a pretty standard condition that we put into ordinances. I'm happy to answer any questions for you. I know the applicant was here this morning. I haven't seen them this afternoon, but I anticipate they're probably here as well. >> Mayor Adler: Is the applicant here wanting to address us? >> Mayor and councilmembers, nikelle Meade from hush Blackwell representing the homeowners. Karen is not here, but John is here if you have questions of him. Kevin really covered a lot of what is in my presentation, but I do want to just point out a couple

[2:45:00 PM]

of things. This home has been in this exact same configuration since 1968. All these homeowners are trying to do is enclose a porch, not increase the footprint of that porch, not make the encroachment into the floodplain any bigger. They are just wanting to enclose a porch to keep water that is blowing into the porch and degrading the roof from really impacting their residence. So we would really argue that this is actually creating a little bit better condition with regard to penetration of whatever if it ever were to flood. But I also want to point out that this property to anybody's knowledge has never flooded. The 1991 historic flood, this property did not flood. The 2006 historic flood, this property did not flood. 2018 historic flood, this property did not flood. This property -- the elevation of this porch is actually more

than seven feet above the spillway of Travis county, which means we -- the water would have to raise seven feet above

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the spillway before this property could flood. And that's a really important thing that I want the down understand. Lake Travis, the water doesn't just once it rises flood all the properties around. It's controlled. There's a spillway that keeps that flooding from happening. I also wanted to point out that we -- so Kevin showed this picture, but basically this is the porch. I want to show you all . -- I know that most of the time councilmembers don't have time to go to the property, but where you see the wrought iron gating is where this porch is. And I really wanted to give you guys a perspective by having some people stand along the way how far away from the water this porch is. And not only that it's elevated. So it's a couple hundred feet from the water and elevated. This is if you were beyond what we even consider the property line walking down

[2:47:04 PM]

to the water, and this is just another perspective. We just wanted it to be clear that this is a long way from where the water is. And then I wanted to show this picture as well. In that 2018 historic flood ooooh that's as close as the water got and actually the porch that we're talking about is at the top of the stairs and elevated a little more. So it really would be a very -- it would be a pretty unusual situation if this property were to flood. We also want council to consider this is existing porch, we're only trying to enclose T the owner really did act in good faith. They did not just get materials from Home Depot and start building. They got a contractor and nobody understood they needed to come to the city of Austin and do this. The permit is approved and all we're waiting to do is get a certificate of occupancy for this structure is the approval of the floodplain variance. We really do hope that

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council will consider approval of this. We understand and know that council does not like floodplain variances, but we really do think this is a special case given where it's located and the fact that we are not creating any additional encroachment into the floodplain. And again, the owner of the property and I are both here to answer any questions you may have. >> Mayor Adler: Thank you. Mr. Flannigan. >> Flannigan: So this property is in my district. I have the distinct of representing all of the city that touches lake Travis, what little of it there is. Mr. Shemp, can I ask you a question? One of the points you made to me is the governing point here is that floodplains in lake Travis are not like floodplains anywhere else in the city. Not even like floodplains on lake Austin or lady bird lake. These are very, very different based on dam operations less so than flood risk. As Ms. Meade said, the water level in the lake would have

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to be seven feet over the spillway with all the Gates open in order for the water to reach the porch. How many Gates in history of Mansfield dam have ever been opened? >> For the 2018 flood, the Llano flood, I think they had four Gates open. >> And how many Gates are there? >> There are a lot more than that. [Laughter]. >> Flannigan: So in the history of Mansfield dam the water has never crested the spillway? >> That's true. >> Flannigan: Has it ever reached seven feet over the spillway? >> The highest it's ever gotten to is '10 and the spillway is at 7:14. >> Flannigan: I understand staff's difficult position because of the way the code is written, it's not written for this type of situation. If there was more of lake Travis in the city's zoning jurisdiction, I would probably want to explore a special zoning classification for lake Travis properties because it is very different. That being said, I don't know how many properties if you have that number off the top of your head. >> I'm not sure how many

[2:50:06 PM]

properties there are, but I can say in the 10 plus years I've been doing these floodplain variances, this is the first one on lake Travis itself. >> Flannigan: So there's just not that much. And I do appreciate the property owner's confusion, limited purpose areas in my district are often not contiguous. They're weirdly shaped. They follow weird lines, especially when your neighbor is in the etj than when you're at the neighborhood meeting you're not even talking about being in the city. You don't see the city on your tax bill. You don't get to tall city department if you have an issue. The lake Travis fire department responds to these issues. So I'm very sympathetic to that. I think because this is floodplains defined by flood operations and not defined by water flows and if I'm not mistaken even in the event that the waters do rise, they rise slowly. It's not a flash flood situation. And there's plenty of time for warning, there are warning systems related to folks who live on the lake, they will be able to exit their properties. It seems like were there more properties we would

[2:51:06 PM]

have created a special case like we have created for lake Austin where there's special la zoning, but in this case I think we should just approve the variance. >> Mayor Adler: Okay. Any further -- yes, councilmember pool. >> Pool: Hi a question. I was curious if this seven feet below the spillway how is it that it gets to be in a floodplain? >> So the property was built in 1969. We didn't even have a floodplain program at that time. So when we did have maps of the 100 year if floodplain on lake Travis, the first map showed the 100 year floodplain at 716. When it was revised in 2008 it went to 722. So while the property has always been in the floodplain, the house itself moved from out of the floodplain to into the

floodplain in 2008. >> Pool: So then what's the relationship between the spillway discussion and the floodplain?

[2:52:06 PM]

Because if I was following what the conversation was it sounds like if the water is going over the spillway and this property is seven feet above the spillway, then it wouldn't flood and yet it's in the floodplain. So can you help me understand? >> I think the comment was just so much bringing up the point that it rarely -- it's never gone over the spillway. So the likelihood of that happening is low. It's a one% annual chance floodplain. So the spillway is at the elevation of 714. The 100 year 722, so that's eight feet of water that has to go over the spillway just to get to the 100 year floodplain elevation. >> Pool: Okay. And what's the max for lake Travis right now? >> The max? >> Pool: Volume, the height, when it's full it's how many? >> When it's full it's 681. >> Pool: Okay. 681. This is up at 722 is what you're talking about. >> Yes. >> Pool: Wow. So I still don't quite understand how it gets to be

[2:53:07 PM]

in a marked floodplain if the spillway actually relieves that volume. But I'm also concerned that if we do the don't ask permission, ask for approval, where I think we're doing that where the work was done without having pulled the permits, I don't know how cure that, how we notify all of our residents who happen to be in the etj or in the limited purpose areas so that they know to come to us and who needs to and who doesn't need to. >> Yeah. And I think part of that is -- there's a case in process and that's one thing that watershed protection does annually is to reach out to full purpose and limited purpose, those people need permits that are within the floodplain. So they understand the risk and they understand what has to happen if they're proposing development.

[2:54:07 PM]

>> Pool: And the responsibilities as well if they are in the limited purpose. Okay. I'm going to think about this a little bit while others ask questions. Thanks. >> Mayor Adler: Further discussion. Councilmember kitchen. >> Kitchen: I have a question. I wasn't sure if I heard you right and wanted to clarify. While you were going through your slides, I think you said the 500 year floodplain wasn't impacted? The reason I'm asking is because I remember what was done in November or whenever was to use the 500 year floodplain as a proxy for the 100 year. >> Correct. >> Kitchen: Was not the case in this area? >> All floodplain except for on the Colorado river. >> Kitchen: Okay. >> So all the others, shoal, onion, Williamson, east Bouldin, all the other floodplains are, the regular lower floodplain is the current effect of the 500 year floodplain. >> But it wasn't on the Colorado. >> Not on the river itself.



[2:55:08 PM]

>> Kitchen: Okay, thank you. >> Mayor Adler: So for me on this I'm going to support the variance requests just by way of policy for me. I support these variance requests when they actually improve safety. Sometimes our staff has recommended no even in situations based on the criteria that you're given, but we've had cases where we actually -- someone is actually coming and asked to create what will be the safest spaces in the building. In those cases I always vote to let that person do that. This one does not -- this one does not do that. I have also voted against doing variances like in the Koenig lane case where we were significantly adding the number of people that would be living on the site by going to a multi-family use. So while the building wasn't changing, the number of people were changing. That doesn't happen in this case because you're not increasing the number of bedrooms, you're significantly increasing the number of people that are

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going to be there. So it's somewhere between those two for me. I'm going to support this one because it doesn't violate the FEMA standards, because it's slow moving water as opposed to water that can move quickly. Because of the dam situation and release it's a very unlikely flood situation. And it does not increase the number of people that would be exposed to danger, thus increasing risk associated with our ems or first responders. So in this case I'm going to vote for the variance. Any further discussion? Yes. Mayor pro tem Garza. >> Garza: I think this is one of our easier variances frankly. It's not adding impervious cover, it's not allowing something to be built where it wasn't allowed to be built, and I guess that's why these are important to be brought to us like this because they're all

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different situations with -- and we all view them in a different way. I usually vote against variances if they're adding more people because that has concerned me, and the fact that we've had to do buyouts and we continue to have discussions if we're going to allow variances. Do we then tell the people, well, you can't ask for a buyout. This is a different situation than that. So I will support the variance as well. >> Mayor Adler: Councilmember pool. >> Pool: I think I could get to a place of approving it as well if there were a way that we could somehow insert into the record the responsibility of the property owner to connect with the city should any future changes be made on this property? And I'm talking like 30 years down the road where this particular case will be lost to the hands of time. Because I know right now that there won't be more people, I guess, living there, but some day that may change and I want to make sure that people continue to be safe. Is that something -- is that

[2:58:09 PM]

going a little too far or do you think that's something we might find a way to accomplish that? >> Explain that for me one more time? >> I just thought it would be nice to have some kind of a record note or just reminders so that it goes with the property that this is in the limited purpose annexation area and that there are responsibilities to get permissions for certain things with the city. So that that responsibility isn't lost into future actions. We're making a decision based on the current situation today and I'm also mindful of where things may be, let's say 30 years from now where a different use of that property may come into play and people may not realize that they also need to double-check with the city and make sure they're not in violation of any of our ordinances, particularly floodplain. >> So I believe -- I don't believe, but I think that the easement solves that problem. Because the easement being on the lot then 30 years from now someone buys that land with an easement they're going to say, hey,

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what's this easement for? That's one of the points of the easement is to let people know in perpetuity there is an easement on this property for a floodplain, that comes with a certain responsibility. So there's a notice, if you will, to whoever might buy that property in the future. >> Great. So that's in the record and there in perpetuity. >> Yes. >> Pool: That's great. Thank you so much. >> Mayor Adler: Is there a motion to approve this item 62? Mr. Flannigan makes the motion. Is there a second? Councilmember Renteria seconds it. >> Flannigan: Motion it to approve. Because -- we're moving to approve. >> Mayor Adler: The motion is to grant the variance. Those in favor please raise your hand. Those opposed? It's unanimous on the dais. >> Alter: Actually, I'm abstaining. >> Mayor Adler: Councilmember alter abstaining, the others voting aye, councilmember tovos and Casar off the dais. 62 variance is granted. That gets us then to 66 and 67. >> Mayor, item 66 is Knapp

[3:00:11 PM]

2019-0020.034 for the property at 600 industrial boulevard. This is to amend the future land use map. Related item 67, c-14-2019-0082, also at 600 industrial boulevard. Staff is prepared to offer both of these at first reading and we honestly don't have anything to add since second reading. >> Mayor Adler: Okay. Let's go ahead and we have some speakers that have signed up. Let's begin with applicant. Applicant, you have five minutes. >> Good afternoon, mayor and council. David Hartman on behalf of the applicant. >> Mayor Adler: Mr. Heartman you also have donated sometime from Steven Oliver so if you want to you can go to seven minutes. >> Thank you, mayor. I also have your architect, civil and transportation engineer here to answer any questions. This is the site location at 600 industrial at the location of terry0 lane and

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industrial boulevard. This is the zoning area map that kind of pulls out and demonstrates that it's really at the nearest juncture of 35 and Ben white boulevard one block off of Ben white. It shows the adjacent zoning including surrounding by li-pda tracts authorized from 25 to 125 feet height. Nearest to the east is 90-foot height. Councilmember kitchen mentioned that first pointed out to us at first reading that this is adjacent to the future Bergstrom spur trail, which are we'll circle back to. We've been studying that closer than we had before then since that time that we'll circle back to. This is a project overview. It's currently an existing warehouse that was constructed a little bit -- about the time the place was annexed in the '60s. So there's no water quality or drainage control measures. It's next to the Bergstrom spur trail. Bus stop 700 feet away, south congress transit

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center. Basically no bicycle pedestrian improvements. For 400 units, 25,000 square feet of retail and garden. It's approved unanimously by planning commission and recommended by staff. We have two restrictive covenant, one with habitat and the other with affordable housing and the additional one with the public rc with the city so there's three total related to the tia. This right-hand side shows our your honor zoning. Basically what our current request is at 85 feet height. Again, we're adjacent to 125 feet authorized uses. This zoning comparison chart basically we're asking for the same zoning for that additional 55 acresly-pda adjacent to us. Basically it's authorizing the uses we need, multi-family, restaurant, brewery, beer garrick 10, but also allowing the existing warehouse uses to continue so our existing tenants can remain in place until their lease expires.

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This shows the brewery on the far right-hand side, the retail there and there's an interesting existing silo in the upper right-hand corner adjacent to the future Bergstrom spur trail that will -- it has an interesting architectural feature that we'll circle back to and tie into that as well. This shows that floor plan shows the apartments wrapping the parking garage which shields the parked vehicles, which is something the neighborhood requests. Also that we're providing a little bit extra parking for basically people who want to visit the adjacent breweries and people who want to visit the future trail Bergstrom spur as well. Site section architect can visit. This shows basically from the neighborhood towards our project up against 125 feet future construction. Again, we've got the bus stop 700 feet to our north, one to our west and the south congress transit

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center obviously there on congress as well. No real infrastructure in terms of bike lanes, pedestrian sidewalks. What we're doing is proposing basically buffered bike lanes to the north to the bus stop on Ben white. To the west along industrial boulevard to the bus stop and near the transit center on congress avenue. And that's basically right at 233,000 dollars' worth of physical that we're going to provide the city for that infrastructure. And once we've tied that down as part of our Ta then shortly thereafter we're able to finalize our agreement. At that juncture, that was since October of 2019 on the affordable housing component we've been at five percent at 60% of mfi and five percent at 80% mfi. These are the development issues that I've discussed already. They're all in an ordinance, a restrictive covenant. The thing that we've been

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studying particularly since second reading is the one in yellow, the future Bergstrom trail. Basically at time of site plan and we coordinated with campo staff, the urban trails staff and site plan staff, and at time of site plan we're going to provide for place making to sigh into that silo and I have an illustration of that, pedestrian connections to the future trail, bicycle and vehicle parking available to the users of the future trail. And there's a fire lane for any fire lane that we have on site we'll have deposited granite and/or grass creed and I'll have demonstration of that. The access point has all four of these elements there including wayfinding signage and bike racks. And then for future users of that trail and urban forest on our project as well. Like I said, we're overparked basically. Here's an example of the decomposed granite grassfire

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lane. One of many we've done in Austin. This shows how that crass creek turns into a trail. And finally the final additional important item is again I mentioned we were at five percent at 60%. At councilmember Renteria's encouragement, we've moved that on the left-hand side you can see we're at six percent at 60%. And all that -- basically that entire slide has been signed off on and reviewed by nhcd staff. Of what I would say about the proposed ldc decision is the staff has indicated the subarea, the maximum that they're going to require for bonus units or participation was five percent. So the we exceed not only the previous vmu projects, but all five and five at 80 and 60, but we're above that. So we're looking forward to providing 40 affordable units as part of this project that will be spread throughout all unit types and all amenities will be

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made available for residents residents. This is adjacent recent multi-family projects. This is the reason why the Flum supports the neighborhood plan. And then finally just a summary of the reasons to support. The connectivity to the future Bergstrom spur trail, sidewalk, bike lanes, significant, \$233,000 of fiscal. Over current regs, adding water quality where they're nonexistent, reducing impervious cover. 40 affordable multi-family units locking in and via restrictive covenant with home base, habitat and the contact team. And we're available for any questions you may have. [Buzzer sounds] >> Mayor Adler: Thank you. Anything -- anything before we go to the other people who have signed up to speak? Grass create.

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>> Mayor Adler: Mario contour. >> I'm Mario connote with the south congress contact team, chair of the contact team. And I just wanted to pass on to be able to speak briefly about the case. We've been working back and forth with the applicant. Again, we're going to stick to the 10% 60 because that's where we know that true affordable housing will impact our area and not just our area, but all parts of the city. You know, just looking at what could happen and what might happen I think are two different things. When we look at the land development code, the percentages are going to be there as opposed to the percentages we're seeing now. We did see a percentage go up from the applicant of one percent. They did go from five percent 60 to six percent 60. We still have the five percent 80. Now, will that five percent 80 also be included in the

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land development code in the future? For us the five percent 80 has never impacted any affordable housing other than individuals that make a higher amount of median income. A higher wage. It doesn't really apply or really do anything for anybody else making a lower wage. That's why we stay at the 10% 60. So the other part is the impact. What's going to be the impact into the industrial area when it more development intruding in? How will that take place? I think there needs to be more analysis to that, more information gathering as to what's going to happen with all the jobs, with all the displacement of individuals, higher taxes, et cetera. So I think those are some things that were brought up at the last -- at second reading. And maybe it's time that we kind of do more analysis into that before we do displacement. And also our restrictive covenant from the contact team on some of the things that we discussed with the

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applicant, you know, he's mentioned to us that we will abide by those no matter how everything comes out. And then they will be embedded within that restrictive covenant. So those are some things that we

have also discussed. And I think when we use the word disruptive, which I've heard lately, if you look at the word disruptive, we as human beings disrupt a lot of things and I think this could apply to this in some way or form when you look at the Corona virus. When you have animals and humans on top of each other and you have fees dropping down, and you eat them, look at what happens to the disruptive force among all human beings throughout the whole planet. So this is just a small disruptive part, but long-term purposes in the future it could be way more than that. So I ask just kind of look

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at some of the disruptive things that are occurring on our planet right now and even though this might be just a little drop in the bucket, ask yourself could this be disruptive just to family or somebody else. [Buzzer sounds] Thank you. >> Mayor Adler: Thank you. >> [Inaudible]. >> Mayor Adler: Yes. I hadn't gotten to you yet. Is Michael follow so Folsom here? Come on up. >> I'm solia Vega. I live in the neighborhood. I've been working with contact team on and off so I'm familiar with the project. We ask you to deny the variance because it will be the first building with that height, the 90 feet. I really don't understand why the city staff approved it. They said because the property next to it is 90 feet, but the property next to it is a big crane for recycling. There's no buildings there. They also say it's near the highway, I-35 and Ben white, but it's not near, it's one

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block removed. So this basically starts eating into the industrial area. The previous case that you saw residential and industrial was in 2014 with the St. Elmo [indiscernible] On the market. And even back then they asked for 90 feet and you denied. It's too high. Now, this will be a building of 90 feet next to a heavy duty industrial area, recycling going on all the time. So the contact team asked for a restrictive covenant, a private restrictive covenant. They've been going back and forth. The applicant has really not been honest about it. They will send different forms. He will take a restrictive covenant and take items out of it like the noise restriction. So at the end they had a meeting with city staff where they agreed to the restrictive covenant with all the plans. That wasn't it. He still took some items out, had it signed only by them, not with us, not with the contact team, had it registered at Travis county and sent that to the planning commission. And also to council. So it's been going back and forth.

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It's just not the restrictive covenant that we wanted and back and forth he will send a new one and then the old one. So if you're going to approve it, I ask you to please help us get the right restrictive covenant, the right private restrictive covenant that was agreed with the city staff. Perhaps this is a case where we need city oversight to get that. The applicant will say we'll give you that at third reading, after third

reading. With every other applicant the contact team has done it at first reading because that's the only leverage that we have. The only thing is if you look at all the other properties that are there, all the other cases, none of those the contact team got 10% at 80 -- five percent at 80 and five percent at 60. Our contact team does that all the time. So we are asking for 10% at 60 because they're getting 90 feet. It's an exception in our area. It would be the first high building in an industrial area. Not only industrial, but heavy duty. So please help us in this case. I think the contact team has

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done as much as they can. Thank you. >> Mayor Adler: Thank you. Does the applicant want to close? Did you want to speak, councilmember kitchen? >> Kitchen: I had questions for the applicant. >> Thank you, mayor. I would -- I failed to -- I forgot to thank the contact team for their assistance throughout this. We've had more than a dozen meetings. Also thanks to councilmember Renteria for putting pens and pencils to the project and councilmember kitchen to have us look at the Bergstrom spur. As to the project, any changes we've made to the restrictive covenant subsequent to first reading have been basically at the request of the contact team and it's ready to be recorded, or the council and it's ready to be recorded upon approval. So that's all I have. Thank you. >> Mayor Adler: Okay. Councilmember kitchen. Sir? Couched I think you put up a -- >> Kitchen:, I think you put up a slide that listed the components of the agreement. So my question really is --

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I don't have a question about the components. I'm just not seeing them in the -- in either the ordinance or the restrict. And I may not be looking in the right place but where are we documenting the agreement on the affordable housing? I think that was the slide I was talking about. What documents are those captured? >> So the pad ordinance is the first romanette 1. It ties the tia to sidewalks sidewalks. The private restrictive covenant. We've got two restrictive covenants on the affordable housing. One with home base but we also repeat that same data in the private restrictive covenant and we also added the Bergstrom trail to that private restrictive covenant. The romanette sub 2 via pedestrian connections on the sidewalk or other means that's in the tia that I've already covered so it's

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belts and suspenders approach. I believe I've covered everything. >> Kitchen: I don't see that in the backup? Is that just me? I'm not seeing that private restrictive covenant? , I apologize. This has been something that particularly we've been focused on since second reading. And we've been basically by the time we got with campo staff, by the time we got with urban trails staff and city site plan staff that was something that was issued earlier this week. And I've been trying to connect with your office, but I

know the council and the council aides are very tied up this week. But that's the language and I've got the language that is incorporated into the private restrictive covenant that is ready to be recorded basically verbatim. >> Kitchen: So these are the components of the private restrictive covenant and you're saying that all of these components are either in the tia or the private restrictive covenant, right? >> Correct. >> Kitchen: But we don't have the private restrictive covenant in the backup? Because that wasn't provided

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to us? >> The private restrictive covenant has never been in the backup. The deal points in the private restrictive covenant is that October 2nd agreement that I said, that I referred to that's been in the backup since planning commission. >> Kitchen: Okay. I just wanted to make sure that the agreement that you've been working with councilmember Renteria on the affordable housing, I just don't know what document to look at to see that agreement reflected in it. So according to that it would be in the private restrictive covenant. >> That's correct, and in the private restrictive covenant not only with the contact team, but with habitat -- home base, excuse me. >> Kitchen: Well, I think it's -- I'm comfortable with

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the components, I just am a little uncomfortable not seeing that in a written -- is there -- maybe legal can help me. If we are approving it now with the understanding that those items are in the restrictive covenant, can we hold -- can we hold them accountable that it actually has to be in the restrictive covenant? >> Do you want me to try? >> Now? >> The private restrictive covenant is not enforceable by the city. It is enforceable by home base or the contact team with whom they have entered into that agreement with. >> Kitchen: I know, but that's not really my question. I understand that. My question is if we're approving it today with the understanding that this this information is written into

[3:19:30 PM]

a private restrictive covenant. I'm not suggesting that it's not, but if something happened that it wasn't, we would have already taken action, right, without seeing it. >> Well, in that case you might want to wait until you see it because that's the only way that you can know that it's happened. >> Renteria: Is the applicant willing to bring that up next meeting? >> It's at the council's pleasure. I have copies of them with me. I have additional extra copies as well as the copy ready to be recorded this afternoon that has that language in there. We can take a few minutes and come back later on today, whatever the council's pleasure is. >> Kitchen: Is this our last item? >> Mayor Adler: That's one more item. >> Kitchen: Oh. Well, if you want to just give us a copy so we can look at it. >> Mayor Adler: Okay. So let's put this on



the table for a second. Why don't you give them copies of that. Our zoning cases aren't contingent on the execution of private covenants because we can't base our decision on that, but certainly it's

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good information for us to have. So let's hand it out and get that information. >> Kitchen: Yeah. I was trying to say it correctly. >> Mayor Adler: I understand. >> Mayor, excuse me, can we get a copy too because we don't know what's in it. >> Mayor Adler: Yes. I'm sure he will show you a copy as well. Okay. Let's table this item and let's go on to item number 79. >> Mayor, item 79 is case c-14-2019-0124 known as ramendu. This is for the property located at 12303 Morris road. The existing zoning is interim rural residential, which is really a holding zoning category for properties that have been annexed. The request is from lrr to sf-6 for condominium zoning. The staff recommendation is for sf 3 or duplex zoning. The existing uses around the property, most are zoned is-f-2, which is interim sf 2, but most are developed as duplexes. Immediately to the left on the map is the optimist club

[3:21:35 PM]

community recreation facility. The staff recommendation was based on the existing land use pattern as well as that there is floodplain really to the north of this and the fact that it is on a dead end street. I spoke with the applicant earlier today and they are willing to do a conditional overlay restricting the number of units to 11. Under the staff recommendation of the sf 3 if you just do the raw map without designing the site you could probably get up to 12 units by doing six duplexes. So the difference between the sf 3 staff recommendation and the sf-6 in terms of number of units is very similar. And there also has been an issue regarding trees on this site. We do have growth Morris from the city arborist office to address that issue if you would like. >> Mayor Adler: Okay. Thank you. Do you want to hear from the applicant? We have people that have signed up. Does the applicant want to speak first? Then we have one person who has signed up to speak, Mr. Kaiser. >> I'll try to make it brief. >> Mayor Adler: Take your

[3:22:36 PM]

time. >> I didn't quite understand. Don't ever get old in your life. All of the facilities, the eyes, the ears, they begin to decrease in efficiency. So I didn't understand everything Mr. Rusthoven said, but you will look at your map, this is a very isolated little -- it was bought as a one acre, rural tract, Texas vet tract, in 1963. Had a rural home built on it and a number of animal pens where they kept chickens and cows and what have you. If we had an aerial picture that we could pick up, put up, you would see that it had so many trees on it we couldn't get good contour information from aerial photography. The engineer that worked on the tract to the north of us,

[3:23:36 PM]

. Clear fork addition, he thought all of this land flowed very uniformly to clear creek to the north of it. Recent topography that I've been able to get shows there's many little crooks and turns and elevation changes and what have you through there. And again if you'll look at that map there you will see it's a very isolated tract. Morris avenue or Morris road goes in to dead -- end dead ends into clear creek and the area north of that is a huge recreation area with baseball fields and what have you. It will be years and years and years before that tract is ever developed. That same youth group owns and occupies the property immediately west of my tract tract, across Morris road. And has huge amounts of people coming to it over the weekend.

[3:24:41 PM]

Lyndon lane is not a public road. It has never been a public road. It was an easement to serve Texas vet tracts to the east of Morris road at one time. All of the plats in the area have shown it as a private road. Williamson county has given me a statement that they have never accepted it as a roadway. We intend to take -- my client wants to take and develop duplexes in there. We need 12 living units to make it a good project. And it would be served entirely off of a driveway going into the tract from Morris road. It would not -- the areas to the north, east and south are mixed use, in actuality are mixed use single-family

[3:25:42 PM]

and duplex. [Buzzer sounds] Oh well. So we are not -- we are isolated from the neighborhood. And we need six sf-6 zoning to give us the latitude to work around the trees that are there, the topography that is there, the accessibility that is there, and to do it as a condominium. We would appreciate the planning commission -- only one member of the planning commission objected to our proposal, and the original motion of the planning commission was to grant 12 units of sf-6. Because of that one member's objection it was modified to 11. Now, how you get 11 units in

[3:26:43 PM]

duplexes I don't know. >> Mayor Adler: All right. >> So we would appreciate it if you would follow the planning commission recommendations, modify it to 12 units we would appreciate it. >> Mayor Adler: Discussion. Councilmember Flannigan. >> Flannigan: I think that's one more speaker there. >> Mayor

Adler: Is Dan Kaiser here? Next speaker, thank you. You have three minutes. >> All right. So my property sits on the back end of this property here they're speaking of now. And my property has been flooded one time and almost a second time. During heavy rains the stream of water is running down the side of my house, both sides, two to four foot wide coming off the back of that property flowing towards the street in the front of my property, which is water oak lane. During torrential downpours and continuous ground pours in which the ground is saturated, this stream has

[3:27:43 PM]

been eight to 10 inches deep. So deep in fact that on one occasion it went into the ac condenser on the side of the house and caused failure. So that occasion that the house has flooded all copper was removed, sheetrock partially removed, recarpet, new sheetrock, paint and baseboards reinstalled. Aside from the financial expense of removal, water remediation repairs, my tenant at the time was displaced until repairs were completed. The flooding caused me to investigate the flow of the water after the next hard rainfall in which I discovered all the water was flowing off the back end of that property, which includes the subject property into my property. It happened to be the natural flow which you were speaking of earlier. Additionally from that -- from the Morris road, the main road coming in and the drainage ditch along Morris road, that water travels

[3:28:43 PM]

across into Lyndon lane and then off to the back side of my property where the low spot is and comes down through. And basically it turns into a river. You can see that on image 2 if you will pull that up for me, please. This is a street, that's the direction of the water flow . When it comes across from your left side to the right side and flows down Lyndon lane. Additionally still when the water from the natural drainage ditch along Morris road, which is to your left of that image over into the street, it travels down Lyndon lane, which is in image 1 and 4. That's coming off the drainage ditch. Right there, which is not much of a drainage ditch. So Lyndon lane has a low spot on the back of the property and this is the direction all the water flows not only off the adjoining property, which is the one in question, Morris road and also Lyndon lane. And you will see that on

[3:29:44 PM]

image 3 and 6. So upon making this discovery I contacted city of Austin and after some back and forth emails, Sergio Mendoza, on-site engineer, and city of Austin engineer frank Deleon met me out there on the property. And during our meeting I explained what was happening, showed them a video. They agree that there needs to be some curbs installed and a French drain installed across Lyndon lane to redirect the water flow down Morris road to an existing underground drainage stomach. Approximately

four months later had a meeting. After our meeting on February 1st, 2018, Mr. Deleon indicated that he was in the process of creating a model for the new drainage and came upon a model that was already created and saved in the system under water oak, that is my street. He then indicated he would be using this model performing a sanitary check and issuing a work order to begin the work. Well, to my surprise the

[3:30:45 PM]

saved model which he used, he decided to use, put the curb just south of where we agreed upon, where he said he would put it. You can see that in image 5. So there's where they installed the curb. [Buzzer sounds] >> Mayor Adler: You can conclude. >> All right. That's it? >> Mayor Adler: Do you want to finish your thoughts? But real fast. >> Okay. So this property here that we're speaking of is right on the other side of that curb so you can see where the water flows downhill into the back of my property. Which you will see on image 6. >> Mayor Adler: Okay. >> So all that water flowing across flows right into my property. >> Mayor Adler: Thank you. Does -- do you want to conclude? You're entitled to have a closing statement if you would like, sir. >> I walked this area with

[3:31:47 PM]

this gentleman, he explained to me everything he has told y'all, brought pictures and what have you, and he does have a problem, yes. This property that I'm representing did not cause that problem. The problem is caused by the subdivision to the north of us, if you will pull your map back up. It required -- I knew the engineer. He was a very good engineer. He required that a drainage ditch be built on the westside of Morris road to divert the flow from the uphill area along the westside of Morris road to clear creek. That ditch -- that was to be done by adjacent property to Morris road called spring wood 4, which never was developed.

[3:32:48 PM]

That ditch, that diversion ditch, needs to be built. The gentleman is correct where it's overflowing, but if the diversion ditch that was required by the original design was built, the problem would cease. >> Mayor Adler: Thank you. >> Just one more statement. >> Mayor Adler: Go ahead. >> This tract did not provide -- did not create the overflow that is flooding this gentleman. And it cannot -- the whole neighborhood has got some flood problems that need to be corrected. I know how to correct them. But this little old acre cannot be the correction. The original subdivision of clear creek addition was not built according to plan and has not been maintained according to plan. And that is a problem. >> Mayor Adler: Thank you, sir. Up to the dais. Councilmember Flannigan. >> Flannigan: We've been

[3:33:48 PM]

working a little bit on this case. This is in my district. I don't consider it isolated. It's kind of the heart of my district. It is surrounded by duplexes. There's even some multi-family just across the way, some four-plex buildings that are also zoned I-sf-2 and we find a lot of that in my district where there's even some big apartment complexes that are zoned rr because of annexation. All of this built before annexation. Jerry, can I ask you a question? So given the dimensions of the site, whether or not it's sf-3 or sf-6, you're roughly talking about 11, 12 units, is that right? >> Yes, for the duplexes the staff doesn't take the time to actually design the layout, but dividing the average for the 7,000 square foot for duplexes yields six

[3:34:50 PM]

duplexes for 12 units. The staff has proposed a layout that gives them 11 units. >> Flannigan: I don't know that the co is necessary just because of the configuration of the site. The flood question is an interesting one and one I'm a little frustrated with because when I drove out there to go see it myself I noticed the curb that had just been installed. And my staff spent quite a bit of time trying to track down where that came from or how it came to be, and at no point was this relayed back to us. Even though that curb is right on this property line. So city manager, I'm not sure how we solve for those types of problems when there are pieces of infrastructure being installed when something is about to hit the dais. I mean, I imagine that might be more complex in other parts of town where there are more cases, but that would have been helpful. On an sf-6 development would there be flood mitigation requirements in the site plan process? >> Yes. The site plan would have to be reviewed by the staff for sf-6 and would be reviewed

[3:35:50 PM]

for drainage issues, yes. >> Flannigan: So there would be more likely to have drainage improvements under sf-6 than under sf-3? >> I think that's a fair statement. If they were subdividing under sf-3, the subdivision would go under a site review. If they were only building one duplex on that lot, it would just be a building permit, but yes, there would be a site plan issue. >> The other thing I noticed when I went out there is that all the trees had been cut down. >> Right. >> Flannigan: Can you explain how that can come to pass? >> Sure. I actually have Keith Barnes here from the city arborist office. That was done prior to the zoning case. >> Flannigan: I would like to hear that. >> Good afternoon, council, city manager. My name is Keith Mars, I'm the division manager who oversees our tree preservation regulations in the city. Under the current zoning of the property, rural residential, we as a city regulate

trees 19 inches in diameter or larger, that's what we call our protected tree class. Under the proposed zoning with sf-6, we would regulate

[3:36:54 PM]

trees eight inches and greater. Skipped by the dates the zoning change was submitted on September 12th, in mid November our staff received a complaint from the community about tree removal on the subject property. Our staff responded and made some observations, indicated that the site had been mostly cleared of trees and that a number of trees in that -- in the lower class sides, the 8-18 were removed. Again, under current code that is compliant. Under the proposed zoning those trees would be required to be surveyed, designed around to the extent feasible. And if not, appropriately mitigated, which really just means replanting. >> Flannigan: But because trees were cut down under its interim zoning, those rules were not enforced? >> That is correct. >> Flannigan: So I struggle with this a little

[3:37:56 PM]

bit because, you know, the community is -- has some belief in the public trust of us and these tree regulations and I'm not a big fan of folks who are exploiting loopholes in that process. So I'm -- my hope today is that we can move forward just on first reading because I have more questions for the arborist office and the planning department about what tree mitigation might look like. I don't have satisfactory answers for that yet, but I am satisfied moving forward with sf-6 on first reading because I think the -- it gives a more flexibility on the site, might even end up with a little less impervious cover. And not trying to shoe horn driveways into really short street frontage. And it creates the flooding improvements under site plan process which I think are going to be really important. Separate from the zoning case, and Mr. Kaiser, thank you for coming down. I always like to thank the d-6ers that make it to city hall. There aren't many that do, but thank you for taking the

[3:38:56 PM]

time and fighting two highways worth of traffic to get here. That we're going to be working with commissioner cook, Terry cook, Williamson county commissioner for precinct one on what we can do about Morris road. The town and country land is in the etj, in the K, so water flowing from there to the city I think is a good opportunity for another partnership project. Commissioner cook has been really good doing partnership projects with us. And if you look at the drainage ditch along Morris, it is clearly not a drainage ditch. There are parts that are even a little higher than the roadway. It's an oddly -- I would question if it was even designed as a drainage ditch. Anyway, we will work on that stuff separately from the zoning case, but those are at least my thoughts on this at this time. >> Mayor Adler:

Okay. Any comments? Do you want to move passage on first reading only? >> Flannigan: I'll move sf-6, first reading only. >> Mayor Adler: Sf-6, any co? Just sf-6 first reading? >> Flannigan: Yes.

[3:39:57 PM]

>> Mayor Adler: Seconded by councilmember Renteria. Discussion? Councilmember kitchen. >> Kitchen: So if I'm understanding correctly the co would limit the number of units to 11. And what does sf-6 allow? Is it 22? >> Flannigan: When we talked to staff they said the practical build is 11 or 12. So if it was a larger number of acreage they can get more units, but as a practical matter you can't get -- >> If you did the math it would come out to 22. They've designed a project that has 11 that they think can work with the driveways and everything else. >> Flannigan: About once you apply all the regulations of the site you can only get to 11 or 12. >> Kitchen: Is that what you were saying, Jerry? >> We haven't designed it. They've designed it. They said they plan 11 units and have a layout for it. We haven't reviewed that site plan yet, but they're saying that's what they're going to do. They offered to do a co, but -- >> Kitchen: On councilmember Flannigan, you're okay with the 11, but you don't think it should be

[3:40:57 PM]

a co? >> Flannigan: Yes. >> Kitchen: I'm also disturbed by the trees being cut down and this is a problem that we've had for awhile where people just cut -- find ways to cut trees down and not follow our requirements around tree mitigation so I will be interested to see what you will find out about that. >> So the direction is to work on tree mitigation before second reading? >> Correct. >> Mayor Adler: It's been moved and seconded. Any discussion? Those in favor of the motion please raise your hand? Those opposed? Those abstaining? I have pool and alter abstaining. The others voting aye. Tovo and Casar off the dais. With seven votes it moves on. >> Alter: I would have approved it with the co, but I don't think we need to have that debate so I just abstained for the purposes

[3:41:58 PM]

of the first reading. >> Mayor Adler: Sounds good. Thank you. That gets us back to the tabled item. Are we ready to proceed on the tabled item? >> Kitchen: I didn't see the information that I was looking for. >> Mayor Adler: Do we want to take a break for 10 minutes and see if you can talk to them? Okay. It is 3:52. Let's come back here at 4:00. We're in recess.

[3:49:08 PM]

[4:00:34 PM]

>> Mayor Adler: all right. It's 4:00. We are back into our meeting. We have just this one item left on our agenda. It is item number -- what was it, 66 and 67. Is this a motion? Councilmember Renteria. >> Renteria: I move passage of it. >> Mayor Adler: Of 66 and 67. Seconded by councilmember Kitchen. Any discussion? Anything else we should say in that motion? >> Just for third reading. >> Renteria: For third reading with the agreement that the applicant reach with the contact team. We also want to thank you all for working together. >> Mayor Adler: We're passing it on third reading. >> Passing it on third reading, but without the condition of the private agreement. >> Mayor Adler: Correct. We can't put that condition in ours because it's not -- we're not allowed to insist on that. It's nice to see it happening but it's

[4:01:35 PM]

immaterial to our decision. >> Renteria: Yes. >> Mayor Adler: Councilmember Alter. >> Alter: I wanted to clarify since I did not read the private restrictive covenant that it is 10% affordable. It's a question of the distribution not being what the contact team wanted, or is it that it's not the full 10% affordable units? Maybe -- the applicant can answer. Maybe the contact team wants to answer. >> Councilmember, the private -- >> Alter: Can't hear you. >> Is this on? Council, the agreement with the home base and then the agreement with the contact team are two private restrictive covenants, voluntarily -- they include voluntary agreements related to affordability. The one with home base is correct and has a 6% at 60 and 4% at 80, as I had

[4:02:35 PM]

stated. The other one has a topographical error we're going to go fix before we record it. Does that answer your question? >> Alter: Yes. Does the contact team want to answer? >> Thank you. First of all, I just want to be super crystal clear, okay, there's a slide that was presented in Ann Kitchen -- and Ann Kitchen did identify some of the confusion. There was a new slide added to the powerpoint that had about the Bergstrom spur. We did hear from Mr. Hartman about the Bergstrom spur but we didn't actually get to see that slide of the Bergstrom spur. We're not super worried about it, but to enjoy this credit she mentioned how things change back and forth, back and forth that, in the restrictive covenant there is some new language that I just looked at that we haven't seen before that's been added to our restrictive covenant that we've kind of agreed upon. Now, with that said, there's one thing that sticks out because at Bergstrom spur



[4:03:36 PM]

when it says parking, it brings to our attention -- or it would bring to maybe the neighborhood's attention if this passes as to why is this slide, number 1, new, and why was the information not given to us prior to today in regards to the Bergstrom spur with additional parking to be placed for users of the Bergstrom spur on that property. Now, does that bring in more vehicles to the property? Et cetera? I mean, those are some things we might have discussed. That's just one part. Second part is the 6%, 60 is what they want. And the 5% 80 is what -- 4% 80 is what they're requesting. We are sticking with the 10% 80. Whatever they decide to do on the rfc as far as affordable housing will be on them. >> Alter: What I'm understanding is they're proposing 6% at 60 and 4% at 80 and you wanted to have

[4:04:38 PM]

10% at 60%. Is that correct to say? >> That's correct. That's what we're requesting. >> Alter: Thank you. >> Mayor Adler: Motion on the table is to approve both third reading both these items. Those in favor hydrogen -- those in favor please raise your hand. Those opposed. Those abstaining. She's still deciding. >> Alter: I don't think it matters. >> Mayor Adler: It passes. >> Alter: I will just abstain. >> Mayor Adler: Alter and pool abstaining. The others voting aye. Tovo and Casar off the dais with seven votes. It passes. With that we've concluded all of our business so we're going to adjourn the meeting at 4:05 but at 5:30 we have some phenomenal music to be played and some important

[4:05:38 PM]

proclamations. And I would remind all my colleagues that tomorrow at 5:00 is when we're hoping folks will post amendments to the land development code second reading. Yes, councilmember Casar. >> Kitchen: There was some confusion that I don't think we addressed yesterday with regard to the public hearing and people's ability to donate time. Because I know we talked about the time period and the limitations and stuff but we didn't talk about that item so I just wanted to express that I think we should do like we always do and allow them to donate time. >> Mayor Adler: Okay. And we can't consider that until Tuesday morning. We went through the agenda to see if we could find a hook that wouldn't let us discuss that and legal could not. >> Kitchen: That's fine. >> Mayor Adler: We'll pick that up first thing Tuesday. >> Kitchen: There's just a bit of confusion out there so I just want to put on the record that we haven't talked about that yet.

[4:06:38 PM]

>> Mayor Adler: We sent out a notice consistent with what I had filed a week ago, which said no donation of time. >> Kitchen: And I -- it's not something I can agree with. >> Mayor Adler: I understand. Okay. Thanks.

[5:33:39 PM]

>> Pool: All right, evening, everybody. So this is a really great evening and I'm just going to say it for me, because two of my favorite Austin singer songwriters are here tonight to play for you all, and I'm just -- and I have never actually done the introductions for the musicians who have come. Since music is a huge part of our city life and it's a really important element in my life, a lot of us build our lives around music, I'm just really grateful to have the opportunity to introduce everyone to Albert and Gage. Albert and Gage have a personal and musical chemistry that radiates from the stage. The joy they experience making music together is evident as they travel through their musical roots, moving from country and folk

[5:34:41 PM]

to blues and French. Since teaming up in 1996 they have released six albums on their own Moon House records label and built the successful Moon House studio where Chris Gage maintains a full schedule as an in-demand producer and musician. So please help me welcome Christine Albert and Chris Gage.

[Applause]. >> We're very honored to be here. It reminds us of when we sang at the city council meeting, Mayor Bruce Todd took us in 1998 to Adelaide, Australia, and we sang at the city council meeting for our sister city. It was the first time they had ever had music in their chambers, but I know this isn't the first for Austin. This is the first song we wrote together that year. [Music].

[5:35:44 PM]

[Music]

[5:39:13 PM]

[Applause]. >> Thank you, thank you very much. >> Pool: Thank you. So much musical royalty in our city and I'm just so appreciative to have Chris and Christine here with us tonight. Another round of applause, please. >> That was an easy set. >> Pool: One and done. Here is a proclamation and the mayor is here too so I'll invite him and any other council members who may be here to come join us and I will read the proclamation to the two of you. Be it known that whereas the city of Austin, Texas is blessed with many

creative musicians whose talent extends to virtually every musical genre. And whereas our music scene thrives because Austin audiences support good music produced by legends, our local favorites and newcomers alike. And whereas we are closed to showcase our local artists. Therefore I, Leslie pool,

[5:40:13 PM]

councilmember for district 7, on behalf of mayor Adler and the entire Austin city council, do here by proclaim February 6, 2020 as Albert and gage day. Congratulations. Maybe tell us where you're playing. >> Thank you so much. This means a great deal to us. We both love Austin. It's our home that we found later in life. Well, not later in life. I came when I was in my 20s in 1982. Chris moved here in the early '90s and we met and the rest is a beautiful story for us personally. But thank you so much for the support of Austin musicians in general. I've never found a city that has this sort of mutual relationship that the musicians and the community have in Austin where each

[5:41:13 PM]

and every one of you care about the musicians in our town and support them in so many ways with non-profit hamm and home and opportunities like that to make sure musicians have a healthy and whole life. Thank you for doing that so that we can give back music. >> Thank you so much. [Applause].

[5:42:44 PM]

>> Mayor Adler: All right. Let's bring capital metro here. We have a proclamation. Be it known that whereas the capital metropolitan transportation authority was informed in 1985 with the mission of connecting people and communities to jobs and opportunities by providing quality transportation choices. And whereas capital metro continues to invest in and grow with its community, having grown from 225 vehicles in 1985 to 540 now. Providing fewer than eight million rides in its first full year to more than 31 million rides in 2019. And whereas capital metro has enabled citizens to avoid adding more than

[5:43:46 PM]

445,000 tons of greenhouse gas into the atmosphere and whereas capital metro, its regional partners, are building on a strong foundation with project connect, an integral part of the Austin strategic mobility plan. Now therefore I, Steve Adler, mayor of the city of Austin, Texas, together with my colleagues on

the city council, some of whom like councilmember Renteria and the mayor pro tem and councilmember kitchen, serve on the board, do hereby recognize this milestone of having reached one billion trips since its formation 35 years ago. Congratulations for this proclamation. [Applause]. >> Kitchen: And I just want to say thanks a billion to cap metro. We've got these wonderful pins. And it's quite an accomplishment. So thank you.

[5:45:42 PM]

>> Mayor Adler: That's pretty impressive. A billion rides. Why don't you guys come up. We have another proclamation, be it known that whereas the Austin energy science regional festival 2020 will showcase the talent of more than 3,000 elementary through high school students from public, home, charter and private schools from 12 counties in the greater Austin area. And whereas 2020 marks the 64th anniversary of an Austin regional science fair and celebration of an event in which the city of Austin remains one of only two U.S. Cities to bring a regional science festival to its community. And whereas science fairs like the Austin energy

[5:46:43 PM]

science regional festival 2020, helps spark an interest in children to pursue science, technology, engineering and math careers. And whereas we congratulate the participants, especially those whose winning project will go on to state and international competitions and we thank the Austin energy, our community owned electric utility, for sponsoring and organizing this important event for the 18th year in a row, and we thank the Austin science education foundation for its critical role in securing sponsorships which aid in funding the event. And we welcome Dell technologies as our new anchor sponsor of the elementary division. Now therefore I, Steve Adler, mayor of the city of Austin, Texas, together with the Austin city council, do hereby proclaim February 19th to the 22nd of the year 2020 as Austin energy regional science

[5:47:44 PM]

festival days. Congratulations. >> Thank you, mayor and our councilmembers. Your continued support of science fest is so important. Austin energy is so proud to be hosting this amazing event for our community and so honored to be receiving this proclamation this evening. Science festival brings together some of the sharpest young minds from across central Texas. You can feel the energy in the room when you walk into that event. The students who participate are the next generation of teachers, scientists, creators and innovators who will keep our region vibrant, the economy strong and continue to grow our thriving tech town. I want to thank the Austin science education foundation for helping to

recruit the volunteers and raise funds because none of this would be possible without the support of hundreds of volunteers and generous

[5:48:45 PM]

funding from our sponsors. Those sponsors are Dell technologies, 3M, synopsis, the tyrex group, rackspace, the city of Austin's watershed department and the office of sustainability. Their support makes possible the accomplishments such as those by Bridget Lee, iyla, Norma and Michelle, who are with here this evening. Each of these talented young women attended the prestigious science and engineering fair after advancing from the Austin energy regional science festival. I would also like to recognize the amazing team from Austin energy for all of your hard work that make science fest possible. Thank you. Thank you again, mayor and council, for acknowledging all of these efforts for this wonderful proclamation and for the certificate. Thank you so much.

[5:49:56 PM]

[Applause]. >> Pool: I think I'm up

[5:51:05 PM]

next with -- so let me go ahead and do the proclamation for Christine Albert and swan songs. So when Christine was talking a little bit she mentioned giving back as a musician to the community because the community gives our musicians so much. And one of the things that Christine has pioneered is a project called swan songs. And she can probably explain it way better than I can, but basically if you have someone who is in the last phases of life and that person would like to have some music because music is important in kind of easing your way into your next

[5:52:06 PM]

phase, you call up swan songs and Christine will arrange for a musician to come to your bedside and play some music. And I am certain that this care and love that's presented through music in many ways has indeed eased the transition for people from this life to the next. So I wanted to showcase that, and also to recognize Christine for the really important work that she's doing in this way in our community. So here's a proclamation. Be it known that whereas musician Christine Albert was invited in the 1990s to sing for Austin resident John swan who was facing an early death from a brain aneurysm. Christine

continued to be called upon by other people with terminal illnesses to perform private concerts for the patient and family members. And whereas in 2005 Christine formed a non-profit organization

[5:53:06 PM]

adopting the name swan songs in memory of John swan. Swan songs has organized more than 1200 concerts for terminally ill citizens. And whereas any Austin area family member, friend or caregiver may request a concert and at no cost to the family or facility, local professional musicians will perform intimate concerts at the recipients bedside in the requested style or genre and are compensated by the non-profit swan songs. And whereas district 7's Christine Albert continues to grant musical last wishes by giving the gift of music to bring a joy and comfort to friends and family, thereby creating everlasting memories. Now therefore I, Leslie pool, councilmember for district 7, on behalf of mayor Steve Adler and the entire city council, do hereby proclaim February 6,

[5:54:07 PM]

2020 as swan songs day. Thank you. [Applause]. >> Thank you. Thank you so much, councilmember pool. This is quite an honor and I accept it on behalf of the hundreds of people that have helped to build swan songs since the inception of the idea with my dear friend gay Logan. We sort of hatched the concept together in the early '90s and since founding it in 2005 have had incredible support from the community of volunteers, musicians, and now we have an amazing staff. So I certainly don't do this on my own. We had 47 requests in January so we're kind of hopping all the time, providing everything from mariachi to Irish music to heavy metal to blues to Merle haggard. It's diverse, it's eclectic and meaningful for whoever is requesting the music, it's what resonates with them. So I'm proud to be the

[5:55:09 PM]

founder of swan songs and I accept this with deep gratitude on behalf of everyone who together makes it happen. Thank you so much. [Applause]. >> Harper-madison: All right, we have all our friends and family lined up. This is a good one.

[5:56:09 PM]

So not all heroes wear capes. And not all local leaders hold public office. However, Mrs. Barbara Scott is both a hero and a top flight local leader. And though she doesn't hold public office, she does hold the

respect, admiration and the love of the community she so selflessly serves. We are lucky to be able to call her a fellow austinite. After being born in the civil rights era south, Mrs. Barbara moved from Jackson, Mississippi to be with the love of her life, Mr. Raymond Scott. She soon started with southwestern bell originally as a long distance operator and took on increasingly complex roles with the phone company until her retirement in 2005. When her daughter Kimberly left home for college in the

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'90s, Ms. Barbara decided to free up her newfound spare time getting involved with the colony park lakeside association, which is how most of us know her. Since then she has built a reputation as a tireless advocate for her community who will let you know when she is not happy about how things are going. And it's always to the benefit of the community and not her. She has proven herself to be a strong woman who refuses to accept the idea that her neighborhood isn't as deserving of the same amenities and opportunities that other neighborhoods in Austin enjoy. Not even a pair of unthinkable tragedies could convince her to quit. In 2009 a drunk driver severely injured Mr. Scott and two years later their daughter Kimberly died unexpectedly. Mrs. Scott's unshakeable faith in god gave her the

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strength to carry on, taking care of herself, her husband and, in spite of it all, continuing to care for her community. We are all so very lucky. Thanks in no small part to her strength and endurance, the city is inching forward with the colony park master plan, a project that will be a catalyst for what is finally equitable growth in the eastern crescent. It is my very great honor to be handing her this proclamation today, but I hope soon we can hand her the scissors to cut the ribbon on the colony park pool or the shovel to break ground on the colony park health clinic or the keys to open the doors to the colony park grocery store. I know we'll get there some day and I won't be surprised if at least one of those projects is named after Mrs. Barbara Scott.

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A real hero who has shown that she has the might to move mountains. Thank you. [Applause]. And so it is my great honor to present you with the proclamation. Be it known that whereas Mrs. Barbara D Scott was born in Jackson, Mississippi, the fourth child and only daughter of Mr. and Mrs. James W Smith, junior. Whereas Mrs. Scott's beloved father died in 1967, a loss that changed the course of her life. Instead of furthering her education upon graduation as she had planned, Mrs. Scott decided to seek employment to help support her mother. Whereas on February 3rd, 1973, Mrs. Scott married Robert Scott and moved to Austin, Texas. The Scott's celebrated their 47th wedding anniversary on February 4th, 2020.

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Whereas upon arriving in Austin Ms. Barbara became immensely involved in Austin's civic and religious communities. She is presently a member of the choir and the family life ministry. Whereas -- somebody's alarm. Whereas for over 30 years Mrs. Scott has been a leader and a champion for Austin's colony park neighborhood and is the press of the colony park lakeside neighborhood association. Now, therefore, I, Natasha harper-madison, the proud city council person for district 1, alongside mayor Steve Adler and my colleagues on the city council do hereby proclaim February 6, 2020, as Mrs. Barbera D. Scott day. [ Applause ] >> Thank you. >> Harper-madison: You always have the best words?

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>> Anyone that knows me knows I can't do anything in three minutes, but I will try. I am so appreciative of this, especially on this day. February 6 happens to be my father's birthday, and he raised a daughter to believe that she could do anything that she wanted to do, no matter how much people told me that I could not do because I was a girl and I wanted to follow the three brothers that I loved dearly. And I appreciate this so much. In a conversation with my brother last night I told him there are three things that I'm really, really proud of, is that I was a -- an obedient child and that I was able to care for both of my parents, my father before he died and my mother at 102 in 2015, that I have been married for 47 years to the

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same man. [ Laughter ] Which is an accomplishment. Which a lot of these people behind me are the reason that I'm still married to the same man. And that we raised a child that was very loving, kind, and giving, and we raised her to be a servant. My husband pastored for 18 years so we're a family of servants. And it is my pleasure to accept this not on my behalf, but on behalf of the colony park lakeside neighborhood association because without their support and them believing in me that I could do what they were asking me to do, I would not be here. So I thank my community. I thank all of the people behind me. These are all family and friends. My pastor is here. And I am just so appreciative that everyone could be here. And this project started out contentious because none of us knew each other, and I can say that usually when I leave city offices or either come to city offices I'm

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greeted with a hug. And so we have become friends, and I feel as if we are making some of those strides. March 7 we will open the new colony park district park. We have been needing a park for 47 years, and we now have one. We are working on the swimming pool, and we are working on the grocery store. Since there's longevity on my mother's side of the family, I'm planning to be like her. I want to be here. [ Laughter ] Until all of this is accomplished. But I appreciate each of you being here. Thank you, councilwoman, thank you, mayor, thank all of the city council people for all of the support that you give colony park. Thank you. [ Applause ]

[6:06:04 PM]

>> Alter:good evening. My name is Alison alter and it's my honor to represent district 10 on the Austin city council. February first marked the start of national gun violence survivors week in our country. Preventing and reducing gun violence is an issue that I have championed and worked on extensive since first taking office and I'm honored to stand with these folks here to raise awareness about the epidemic that we face in our country. We know the United States is leading our peer countries in gun violence deaths and injuries. We know that everyday hundreds of people are killed or injured by firearms. We know that over half of the adults in our country have personally experienced gun violence in some way. The good news is that we also know how to solve this problem. I've been so honored to work alongside organizations like

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mom's demand action, every town for gun safety, Texas gun sense, and others to advance common sense solutions and educate our neighbors on the realities of gun violence. We are fortunate to have the sheer determination of survivors helping drive our mission of reducing gun suicides, homicides, and injuries. Survivors' stories, experiences and perspectives are powerful. They're essential pieces of this mission. With that said, I believe we are joined tonight by several survivors, and I will read the proclamation for the national gun violence survivors week and then I will have the honor of passing the Mike to Melissa Holms to accept the proclamation and say a few words. Be it known that, whereas every year over 36,000

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Americans are killed in acts of gun violence and 73,000 more are shot and wounded, and whereas by early February more Americans are killed with guns than are killed in our peer countries in an entire calendar year, and whereas a gun violence survivor is anyone who is personally experienced gun violence, whether they have witnessed an act of gun violence, been threatened or wounded with a gun, or had someone they know and cared for wounded or killed, and whereas forms of gun violence can

include but are not limited to gun suicides, gun homicides, domestic violence involving a gun, shootings by law enforcement and unintentional shootings and whereas firearms are the second leading cause of death for children and teens and the first leading cause

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of death for black children and teens in America and whereas in order to save thousands of lives and end this devastating epidemic communities across the country must unite in the effort to prevent gun violence. Now, therefore, I, councilmember Alison alter, on behalf of Steve Adler, mayor of the city of Austin and my fellow colleagues on the city council, do hereby proclaim February 1-8, 2020, as national gun violence survivors week here in Austin. May this week help us to remember the folks we have lost from gun violence but also to cherish those who have survived and to lift up their voices. Ms. Holms? >> Thank you.

[6:10:08 PM]

I want to thank everybody who is here today and thank the city of Austin. The numbers that we see in that proclamation are sobering. 36,000 killed, 73,000 wounded. That means that every year over 100,000 Americans become survivors of gun violence. I became a survivor in 2009 when a dear friend of mine of more than 17 years was shot and killed by her ex-husband in the basement of their former home. What a survivor knows intimately is that behind each number is a name and a life and an entire world that is no more and never will be again. Based on the statistics, my friend would have been the 157th woman shot to death in partner violence that year. But her name was not 157. Her name was Katie. She was a real person, with

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dreams and plans and a family. So I want to take a minute today to tell you a little bit about the world that was Kaitlin rose pasmont. She was born in Colorado and she grew up in the mountains. She went to a hippie-dippie elementary school named after the valley where all the fairies lived in the lord of the rings. She would a pony and a hamster. She was oddly both the biggest klutz I've ever met and an accomplished athlete. She could walk across an empty room and find something to bruise her chin on, but if she put on a pair of ice skates or got on a horse she moved with a grace that was arresting. She always had to be touching you to have a conversation. If you were sitting, she

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might lean in so that your knees touched but even if you were standpoint standing she would angle her foot so just the tip of her shoe was over the top of yours. She couldn't communicate without connecting. She thought being a girl was a pain in the rear and told me once in middle school that she would only have kids if they figured out how to gestate them in a test tube. 15 years later she had two sons, and she was a generally and devoted mother. She cried every time she watched the lion king. Every. Single. Time. Thank you, everybody, for being here. But I also want to say for

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this year's 36,000 and next year's 36,000 and the year after that, please keep fighting. Thanks. >> Alter:so we have the honor of hearing from another survivor, Ms. Andrea brown. Thank you for being willing to share your story with us. >> Sure. Good evening, everyone. And thank you for staying around to hear my story about Ebony. Ebony was a -- she was an

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angel here on Earth. She had a little angel baby, which his name is Ian. He's right behind me. And Ebony, on December 26 of 2017 -- I'm sorry -- we were visiting my brother's house for leftover Christmas dinner, and it had started to drizzle. Ebony decided to move her car around so that her mom and her baby wouldn't get wet. Ebony walked out of the door, and about five seconds later they heard a gunshot. And ran out. A kid that we didn't know at the time had shot Ebony in the back of the head. However, we later found out that this kid, on December 25, had shot two

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kids in a park that were visiting from California. That same night, he carjacked a senior woman for her Cadillac escalade and in the process he ran over a pedestrian and he continued going. The thing about this kid was, he was on ankle monitor. Unmonitored ankle monitor. He was in jail previously, 2016, for robbing and shooting someone at a sonic drive-in. For whatever reason, no one has told us or we can't get an answer to the fact of why he was -- why he was out in the streets. His mental health worker told them he wasn't ready to be released. His father told them he wasn't ready to be released. He was released anyway.

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And in that short amount of time he wreaked havoc on so many lives. My sister, her grief has caused her terrible physical pain daily. And it's -- her sister who is behind me, she kind of shut down. But I would like everybody to know that guns don't belong in the hands of mentally ill people. Guns don't belong in the hands of kids that don't what they're doing with them, and had that monitor -- that ankle monitor been monitored, Ebony would be here today. Thank you all for listening. We miss her so much.

[6:18:35 PM]

>> Alter:thank you. That was very moving. Appreciate you all being here to share your stories and hopefully by raising some additional awareness we can begin to move towards a solution. Shifting gears a little here, I'm going to do another proclamation. Mr. Ross, would you like to join me up here? So my name is Alison alter. It's my honor and privilege to represent district 10 on the Austin city council. Tonight we are honoring our local engineers and celebrating the beginning of engineers week, which will be February 16-22. I'm the mother of two teenagers, as many of you know, and I've helped and overseen many a science project, many an engineering experiment, so I'm very thankful for the work that the central Texas discover engineering group is doing to help introduce students to the world of stem. That's science, technology,

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engineering, and mathematics. And all the possibilities that a career in that field can hold. As many of us know, raising awareness and bringing stem careers to life is especially important for girls, for students of color, and for low-income students who may not always have seen themselves represented in that world. They may not have realized what engineering is or what a future in engineering could be. This year's engineers week theme is pioneers of progress, and I'm proud to present this proclamation in honor of the progress central Texas discover engineering is making in our community. Accepting this proclamation will be Dustin Goss of Dawson engineers. Okay, well, thank you, it I will introduce you again in a minute. I'm sorry. So Walter rimanko is

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accepting instead. That's why we're doing this out of order. I'm going to go ahead and read this proclamation for engineers week. Be it known that, whereas Austin industries based on engineering and technology feed our local economy and retain highly educated workers in our area and whereas engineers play a vital role in our society, so it is important to ensure that children discover careers in science, technology, engineering, and mathematics related fields and whereas volunteers from local

companies, organizations and institutions are making classroom visits during engineers week and will continue through the rest of the school year providing hands-on activities and discussion about the importance of engineers in society and career opportunities available, and now, therefore, I, councilmember Alison alter on behalf of Steve Adler and my colleagues on the city council do hereby proclaim February 16-22, 2020,

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discover engineering and engineers. And Walter is going to accept the proclamation. Would you like to say a few words? >> Certainly. Thank you, Alison. On behalf of central Texas discover engineering we would like to thank the city of Austin. As Alison mentioned our mission is to enthuse students, elementary, middle school, high school students about science, technology, engineering and math. We especially want to thank the hundreds, literally hundreds of volunteers who have helped us touch about 15,000 students over the last year, and we look forward to touching another 15,000 students in the year coming. Thank you. [ Applause ] >> Alter: Thank you so much.

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>> Alter:I think that closes our proclamations. Are there anymore? No? Okay. Thank you.